STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion, to open a docket that will be used to collaboratively consider and address issues and concerns related to to use and deployment of electric vehicles in a Commission-sponsored technical conference.	)	Case No. U-21492

At the January 23, 2025 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Katherine L. Peretick, Commissioner
Hon. Alessandra R. Carreon, Commissioner

ORDER

Background

In the October 12, 2023 order in this docket (October 12 order), the Commission noted that "new issues, concerns, and opportunities . . . have arisen regarding EVs [electric vehicles]" in the five years since the Commission hosted technical conferences pursuant to the findings in Case No. U-18368. October 12 order, p. 3. Thus, the Commission directed the Commission Staff (Staff) to convene two half-day Commission-sponsored technical conferences to discuss the following issues: transitioning from EV pilots to permanent programs, managing EV charging to reduce grid impacts, leveraging EV charging to enhance resilience, the role of utilities in scaling EV infrastructure, equity in EV deployment, vehicle-to-grid (V2G) and vehicle-to-home

interconnection infrastructure,[1] and EV tariffs. The Staff hosted the two half-day EV technical conferences on January 24 and 25, 2024 (EV Technical Conferences), wherein panel discussions were presented by utility representatives, industry and national experts, consumer advocates, and state and federal government officials. The sessions were recorded and posted on their respective webpages.[2]

On March 15, 2024, the Commission issued an order in this case (March 15 order) thanking the Staff, presenters, and attendees for their participation in the EV Technical Conferences. In addition, the Commission noted that:

> (1) there should be continued collaboration and coordination through public-private partnerships and across sectors to address transportation electrification across the state, (2) it is important to ensure grid readiness and sustainability for the additional load attributable to all EV classes, (3) the learnings from utility EV pilots should be incorporated into the design of any permanent programs, (4) there is a need for equitable access to electrified transportation and EV charging infrastructure, and (5) there should be a continuing analysis of rate design for EVs as the market matures over time.

March 15 order, pp. 10-11. Moreover, the Commission requested that "utilities and interested persons continue to provide input regarding the valuation of benefits, and it encourage[d] the utilities to employ BCAs [benefit/cost analyses] to support future requests for cost recovery relating to transportation electrification investments." *Id*., p. 11. The Commission also expanded the scope of this workgroup to incorporate tariff proposals for V2G and energy storage for all regulated electric utilities.

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[1] The storage of energy within an EV and its ability to supply power for particular end uses, including buildings, homes, load, and the grid, is broadly referred to as vehicle-to-everything.

[2] EV Technical Conference – Day 1, *see*, https://www.michigan.gov/mpsc/commission/events/2024/01/24/ev-technical-conference---day-1 (accessed January 21, 2025). EV Technical Conference – Day 2, *see*, https://www.michigan.gov/mpsc/commission/events/2024/01/25/ev-technical-conference---day-2 (accessed January 21, 2025).

Finally, in the March 15 order, the Commission requested that the Staff develop and file in this docket a proposed transportation electrification plan (TEP) process by 5:00 p.m. (Eastern time (ET)) on July 1, 2024, that includes minimum filing requirements for each TEP submission, minimum expectations for public engagement to inform the development of utility TEP filings, and a proposed schedule for filings in this docket. The Commission stated that:

> utility TEPs should be coordinated with utility distributed generation (DG) plans to consider grid capabilities/limitations and capacity and programmatic opportunities. Accordingly, the Commission requests that the Staff consider an appropriate method to connect TEP filings to utility DG plans to ensure that utility TEPs and DG plans are technically and procedurally integrated.

Id., p. 13.

On July 2, 2024, the Staff filed proposed TEP Filing Requirements in this docket. On July 22, 2024, Consumers Energy Company (Consumers); DTE Electric Company (DTE Electric); the Ecology Center, Inc., and Vote Solar (together, the Clean Energy Organizations, or the CEOs); and Michigan Energy Innovation Business Council and Advanced Energy United (together, MEIBC/United) filed initial comments regarding the TEP Filing Requirements. On August 12, 2024, Consumers, Michigan Gas and Electric Association (MEGA), the CEOs, Ford Motor Company (Ford), and the Staff filed reply comments.

Discussion

Before the Commission reviews the initial comments and reply comments filed by the Staff, the utilities, and interested organizations, the Commission notes that in the February 28, 2017 order in Case No. U-17990 (February 28 order), it acknowledged the "significant potential impact of a charging program on the expanded usage of electric vehicles" and expressed its intention to sponsor a technical conference to discuss issues related to EVs, including "charger technology and deployment, electric rate structure for these devices, installing and maintaining charging systems,

time of day usage, and electric load balancing concerning the impact of PEV [plug-in electric vehicle] charging on grid resources." February 28 order, pp. 48-49. Accordingly, the Commission commenced collaboratives in Case No. U-18368 and in the immediate case to address issues, concerns, and opportunities regarding EV adoption, deployment, and charging, including the issue of managing EV charging to reduce grid impacts.

Additionally, in the December 21, 2023 order in Case No. U-21538 (December 23 order), the Commission found that "[t]he movement toward transportation electrification will require additional planning and will result in necessary investments by regulated electric utilities in the coming years. The Commission is committed to providing the regulated community and other interested parties an opportunity to address transportation electrification issues in a meaningful and comprehensive manner." December 23 order, p. 1. Thus, the Commission opened the docket in Case No. U-21538 for DTE Electric and other regulated utilities to file TEPs because a "meaningful discussion of the development of the TEP and EV-related investments would be best conducted in a forum other than a rate case . . . ." *Id*., pp. 1-2. And, to assist the utilities in providing comprehensive and meaningful TEPs in Case No. U-21538, the Commission directed the Staff to develop and file a proposed TEP process in the immediate case, as discussed above.

The Commission notes some degree of overlap between TEPs and the utilities' load forecasting and distribution planning activities. At the current time, however, given the fast pace of change in the vehicle electrification space, the Commission finds there remains a need for a specific docket to consider the regulated utilities' transportation electrification issues, and that TEPs are more appropriately planned, filed, and discussed in Case No. U-21538, which is guided by the TEP Filing Requirements.

Regarding the initial comments and reply comments filed in response to the March 15 order, the Commission thanks the Staff, the utilities, and interested organizations for their thoughtful analysis and recommendations for the TEP Filing Requirements. This order responds to the initial comments and reply comments regarding specific sections of the TEP Filing Requirements, which are addressed *ad seriatim* below, and approves the amended TEP Filing Requirements.

In addition to the specific comments detailed below, the Commission notes that the Staff also provides several general comments. First, the Staff contends that rates, including EV rates, are best evaluated in a contested case. Second, the Staff asserts that "[r]ates should comply with MCL 460.11(1), which is essentially to say, rates should be based on costs to serve." Staff's August 12, 2024 reply comments, p. 1 (footnote omitted). Third, the Staff states that rates are not designed to change customer behavior or energy load; rather, rates are based on the costs to serve and if a set rate alters customer behavior, that is a "reasonable outcome" but not the objective. *Id*. Fourth, the Staff avers that "[e]nd use rates are often unnecessary. Time of use rates have lessened the need for rates based on end use." *Id*.

Section (1)

Consumers asserts that "[c]ustomer programs to optimize EV charging load should be included as an objective . . . as follows: 'The plan will contain the electric company's long-term strategy to address transportation electrification in its service territory ***and its strategy to optimize EV charging load***.'" Consumers' July 22, 2024 initial comments, p. 2 (emphasis in original). Consumers explains that if EV load growth is better optimized, there will be greater benefits for all customers via reliability and rates.

The Commission notes that there are no objections to Consumers' suggested language. The Commission finds that Consumers' request is reasonable and prudent and should be adopted.

Section (2)

1. Subsection (a)

MEIBC/United note that Section (2)(a) of the proposed TEP Filing Requirements states that each utility must serve a copy of its TEP on rate case intervenors and parties to Case Nos. U-21492 and U-21538. MEIBC/United assert that "because both Dockets U-21492 and U-21538 are open dockets initiated on the Commission's own motion, it is not clear that there are 'parties' to those cases as there would be in a contested case docket. In addition, many [interested persons][3] may participate without legal counsel in these open dockets." MEIBC/United's July 22, 2024 initial comments, p. 10. MEIBC/United argue that any person who filed comments in those dockets should be provided a copy and suggest that the Commission amend Section (2)(a) as follows:

> The rate regulated electric utility shall electronically serve a copy of its TEP on all intervenors from their last rate case, all the **[interested persons] who filed comments or reply comments in cases** ~~parties from both~~ U-21492 and U-21538, and when applicable **all [interested persons] who filed comments or reply comments on** its last TEP filing; . . .

Id.

In response to MEIBC/United's suggestion, Ford asserts that the TEPs would largely be served on utilities and commenters, which would not include other nontraditional interested persons who may be able to provide valuable information. Instead, Ford recommends that "the Commission create an opt-in service list for all utility TEPs so that entities that may not wish to engage in a full intervention in any proceeding (e.g. individual EV or EV charger manufacturers) can nonetheless receive service of the TEPs. The same list could be used by the [Commission] to

[3] As a result of Diversity, Equity, and Inclusion efforts at the Commission, the Commission no longer uses the word stakeholders in its orders, to the best extent possible. Thus, all references to "stakeholder(s)" in this order have been modified to reflect "interested person(s)" instead.

invite input on technical and charging technologies as suggested . . . above." Ford's August 12, 2024 reply comments, p. 3.

The Commission finds that MEIBC/United's and Ford's requests are reasonable and prudent and that they should be adopted with some modifications. Section 2(a) is thus amended as follows:

> The ~~rate-regulated~~ electric utility shall electronically serve a copy of its TEP on all intervenors from ~~their~~ **its** last rate case, all ~~the~~ **persons who filed initial comments or reply comments in Case Nos.** ~~parties from both~~ U-21492 and U-21538, and when applicable **all persons who filed initial comments or reply comments on** its last TEP filing[.]

In addition, the Commission directs the Staff to create an EV/TEP list serv and EV/TEP webpage on the Commission's website to provide opportunities for interested persons to engage and remain informed regarding EV/TEP matters. Further, the Commission encourages the Staff and the utilities to continue their outreach efforts to engage and inform nontraditional interested persons of EV/TEP matters.

2. Subsection (c)

The CEOs note that this subsection would require utilities to file TEPs at least once every three years. The CEOs state that, according to the proposed TEP Filing Requirements, Consumers and DTE Electric need not file a new plan until 2027 because they each filed a plan in 2024. However, the CEOs argue that Consumers' and DTE Electric's "TEPs were filed before the Commission finalized the new Filing Requirements. Given the significant number of new requirements being proposed, it would be prudent to require an updated TEP for these two utilities at an earlier date." CEOs' July 22, 2024 initial comments, p. 1. The CEOs recommend that the Commission direct Consumers and DTE Electric to file new TEPs one year after the TEP Filing Requirements are finalized.

The CEOs also state that because TEPs are not required to be filed as contested cases, the Commission should direct the utilities to file the TEPs with adequate time to incorporate the TEPs into subsequent rate cases. The CEOs explain that "[m]any important issues related to transportation electrification, rate recovery and rates must be resolved in general rate cases, and as the Commission states in its Order, TEPs should be integrated as much as possible with other utility planning efforts, including general rate cases." *Id*., p. 2.

In their reply comments, the CEOs reiterate that new TEPs should be filed by Consumers and DTE Electric sooner than 2027. The CEOs assert that because "TEP investment decisions will be made in several rate cases between now and 2027, [they] think 3 years is too long to wait before important improvements are made. Alternatively, the Commission could require that current TEPs be amended with new data and [BCA] requirements as part of a utility's interim rate case filings." CEOs' August 12, 2024 reply comments, pp. 1-2.

The Commission notes that there are no objections to the CEOs' proposal. The Commission finds the CEOs' request to be reasonable and prudent. Section (2)(c) is thus amended as follows:

> By **5:00 p.m. (Eastern time) on** July 1, 2025, and ~~periodically as ordered by the Commission but~~ at least every two years thereafter **unless otherwise ordered by the Commission**, a**n** ~~rate-regulated~~ **electric** utility must file a TEP with the ~~Michigan Public Service~~ Commission in Case No. U-21538:
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> * * *
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> Both Consumers **Energy Company** and DTE Electric **Company** have filed TEPs in 2024. **Given the new and additional data and reporting requests in this document, both companies shall file new TEPs in 2026**~~Absent Commission action stating otherwise, they will not have to file another TEP until 2027~~;. . . .

3. Subsection (e)

Rather than requesting waivers for each TEP reporting deadline, MEGA recommends that the Commission approve a default waiver for utilities with fewer than 100,000 customers until a

specific percentage of customers are EV owners or EV charging load reaches a certain percentage of the utility's peak demand. In addition, MEGA contends that if the Commission includes "transportation electrification planning as part of electric rate cases[, it] could also eliminate the need for duplicative, and administratively burdensome TEP requirements for small utilities with very low EV adoption." MEGA's August 12, 2024 reply comments, p. 2.[4]

Although there are no objections to MEGA's proposal, the Commission respectfully declines to adopt MEGA's suggested default waiver. The Commission finds that the fast-changing transportation electrification environment requires utilities of all sizes to pay attention to the potential impacts on their systems, and there may be significant changes in EV customer count and EV charging load for regulated electric utilities during the three-year period between TEP filings. Thus, the Commission retains the requirement that the waiver be requested in advance of each TEP reporting deadline.

Additionally, the Commission finds that it would be beneficial to obtain more clarity from a utility as to the reason it is requesting a waiver from the TEP Filing Requirements. Specifically, the Commission would like a utility to indicate whether it is requesting a waiver because it is not methodically planning for transportation electrification and/or increased EV adoption, or whether the utility is requesting a waiver because it simply has fewer than 100,000 customers. Therefore, Section (2)(e) should be amended as follows:

> A**n** ~~rate-regulated~~ electric utility with fewer than 100,000 customers may request a TEP waiver. Any request for a waiver shall include a discussion and justification outlining why the waiver is warranted**, whether the company has a planning process in place that projects transportation electrification impacts within its service territory – even if the plan is not aligned with these TEP requirements,** and **how the waiver results** in the best interest of its customers.

[4] MEGA's reply comments are not paginated. The Commission clarifies that page 1 starts in natural order with the first page of the reply comments.

Section (5)

Regarding the public outreach meetings and the description of the events and participation lists that are to be included in the TEP, the CEOs recommend that the Commission include more detail, "including specific issues that are raised by the parties, and the company's response. [The CEOs] also propose that parties be allowed to file comments on these plans in the appropriate Commission docket, in order to establish a record for future filings." CEOs' July 22, 2024 initial comments, p. 2.

The Commission notes that any interested person may file comments on TEPs, and reply comments, in the docket, which should encompass issues raised by interested persons and the company's response. These comments and reply comments are part of the Commission's review of the TEP. Therefore, the Commission respectfully declines to require the CEOs' requested detail in the TEP Filing Requirements regarding the events and the participation list. However, the Commission finds that Section (5) should be amended to provide the following detail: "A**n** ~~rate-regulated~~ electric utility must hold at minimum two ~~interested party~~ outreach meetings **with interested persons in advance of filing its TEP**. These events may be in-person and/or virtual. One event must be held after 6:00 p.m. **(Eastern time)**. A description of the events and participation lists must be included in the TEP filing."

Section (6)

MEIBC/United note that according to the Staff's proposed TEP Filing Requirements, "[a] TEP must seek to maximize the overall benefits of electric vehicles and other electrified transportation while minimizing overall costs." MEIBC/United's July 22, 2024 initial comments, p. 2 (quoting Staff's proposed TEP Filing Requirements, filing #U-21492-0007, p. 5). MEIBC/United assert that to make the most of EV benefits, the Commission should carefully consider the increased

revenue associated with EV programs and specifically how the revenue is reallocated. MEIBC/United note that utilities are currently using the increased revenue to reduce rates for customers. MEIBC/United state that "[w]hile this is critically important, to ensure that these ratepayer benefits materialize, it is important, at least as EV infrastructure is being built out, that a substantial portion of the incremental revenue attributable to EV charging is utilized to support and expand EV programs and EV charging infrastructure deployment." MEIBC/United's July 22, 2024 initial comments, p. 2.

The Commission finds that the revenue attributable to specific EV programs is best considered in a contested rate case. However, the Commission finds that the introductory paragraph of Section (6) should be amended to provide greater clarity in justifying underlying plan assumptions and resource allocation decisions, and therefore the Commission modifies Section (6) as follows: "A TEP must seek to maximize the overall benefits of ~~electric vehicles~~ **EVs** and other electrified transportation while minimizing overall costs**. The electric utility must provide the Commission the supporting data and analysis used to develop the TEP,** and it shall **include:** . . . ."

1. Subsection (a)

The Commission finds that subsection (a) should be modified to direct the utilities to provide information about how their TEPs connect with state and federal goals. Thus, subsection (a) is amended as follows: "~~A discussion of existing state policies and programs~~ **Strategies and measures for coordinating with state or federal EV infrastructure planning**; . . . ."

2. New Subsection (b)

The Commission finds that a new subsection (b) should be created to allow the utilities to provide information about how TEPs interact with state policies. Thus, the new subsection (b)

reads as follows: "**A discussion of existing state policies and programs. If an electric utility is in multiple state jurisdictions, it should include an overview of that additional state's transportation electrification and/or EV policy goals and programs;** . . . ."

3. Previous Subsection (b)

MEIBC/United assert that it is unclear what is meant by "transportation electrification market." MEIBC/United's July 22, 2024 initial comments (quoting Staff's proposed TEP Filing Requirements, filing #U-21492-0007, p. 5). MEIBC/United recommend that "the Commission clarify this requirement and ensure that this request is relevant to issues under the control of the utilities." MEIBC/United's July 22, 2024 initial comments, p. 10.

The Commission finds persuasive MEIBC/United's request to clarify this requirement. The language of previous Section (6)(b) is amended and relocated to new subsection (c), which reads as follows: "**An overview of the current retail market for EVs and charging equipment within the utility's service territory** ~~the current status of the transportation electrification market in the electric company's service territory~~; . . . ."

4. Previous Subsection (c)

The Commission finds that "other transportation electrification infrastructure investments" should be clarified. The language of previous Section (6)(c) is amended and relocated to a new subsection (d), which reads as follows:

> A summary of the electric ~~company's~~ **utility's** TEP and future transportation electrification concepts and actions in its service territory. The TEP ~~must~~ **should** incorporate project learnings and any other relevant information gathered from other transportation electrification infrastructure investments, programs, and actions **from local, federal, or external organizations** to ensure that lessons learned are carried forward; . . . .

5. Previous Subsection (d)

DTE Electric suggests merging the requirements set forth in previous subsections (d), (m), and (n), "which focus on the electric company's system and distribution grid impacts." DTE Electric's July 22, 2024 initial comments, p. 4. However, DTE Electric notes that these electric system and distribution grid requirements also appear to overlap with the requirements in a Distribution Grid Plan (DGP). According to DTE Electric, "[i]ncluding DGP requirements in a TEP docket could complicate the TEP process and detract from its primary focus on promoting transportation electrification, potentially causing regulatory confusion." *Id*., p. 5. DTE Electric asserts that if TEP factors are to be considered in the DGP, the factors should be analyzed in the context of Case No. U-20147 to "ensure that all DGP requirements are considered holistically." *Id*.

The CEOs object to DTE Electric's request to consolidate previous subsections (d), (m), and (n) and disagree with the company's claim that including DGP requirements in TEPs is complicated and distracting. The CEOs argue "that *not* considering how DGP plans fit into their TEPs would not only fail to address the Commission's keen interest in ensuring that such plans are 'technically and procedurally integrated,' but also fail to explore how a utility's TEP and DGP do in fact overlap and how they can work in tandem." CEOs' August 12, 2024 reply comments, p. 5 (quoting the March 15 order, p. 13) (emphasis in original). The CEOs request that the Commission retain previous (d), (m), and (n) as separate subsections.

The Commission finds that DTE Electric's recommendation to merge previous subsections (d), (m), and (n) is reasonable and should be adopted. The language of previous subsections (d), (m), and (n) are amended and relocated to a new subsection (e), which reads as follows:

> ~~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 TEP is designed to address these system impacts~~

> **The TEP should be an input into the electric utility's distribution plan. The TEP must include discussion of how distribution system impacts from transportation electrification will tie into its distribution plan, opportunities for efficient grid management, the broad system impacts resulting from increased transportation electrification and the electric utility's portfolio of actions, and how transportation electrification can support the efficient integration of renewables**; . . . .

6. Previous Subsection (e)

No comments were filed regarding this subsection. However, the Commission finds that the language of previous subsection (e) should be amended for clarity and relocated to a new subsection (f), which reads as follows: "All ~~public~~ **electric** utility investments or incentives to facilitate the electrification of public transit, school buses, and other **light-, medium-, and heavy-duty** vehicle fleets; . . . ."

7. Previous Subsection (f)

Consumers notes that previous subsection (f) in the Staff's proposed TEP Filing Requirements states that TEPs should include market barriers that may be addressed by the utility and market barriers that are beyond utility control. Consumers agrees with the Staff, but argues that "when possible, [TEPs should identify] programming to address those barriers as proposed in Section (6)(f). Utilities have an important role to play in addressing market barriers, especially as it relates to ensuring equitable access to charging infrastructure and the sustainability of charging host sites." Consumers' July 22, 2024 initial comments, p. 3.

The Commission notes that there are no objections to Consumers' recommendation and the Commission finds Consumers' request to be reasonable and prudent. The language of previous Section (6)(f) is amended and relocated to a new subsection (g), which reads as follows: "Market barriers that the electric ~~company~~ **utility** can address and other barriers that are beyond the electric ~~company~~ **utility**'s control, including any identified emerging challenges to transportation

electrification **and proposed solutions the electric utility plans to implement to overcome barriers where known**; . . . ."

8. Previous Subsection (g)

DTE Electric expresses concern that "[t]he Staff's proposed TEP filing requirements necessitate extensive data collection and analysis, which could require significant IT [information technology] investments to upgrade data collection mechanisms and IT systems to meet these requirements, adding additional costs." DTE Electric's July 22, 2024 initial comments, p. 3. Specifically, DTE Electric states that the requirement in previous Section (6)(g) to collect data regarding public charging station usage:

> poses challenges in terms of data availability, data cleaning efforts, and potential misunderstanding of the data. For example, to the extent public chargers are 1) not on a standalone meter and/or 2) not specifically known to the Company to be a charger, the Company cannot at this time commit to the granular and specific data being sought by the proposed 6(g) requirement for comprehensive 8760 data.

Id., p. 4. In addition, DTE Electric contends that there are challenges in gathering data, mapping, and ensuring accuracy and privacy regarding equitable access to charging infrastructure. DTE Electric asserts that it may have the technical ability to efficiently collect data in the future regarding public charging stations and equitable access, however it would be difficult and burdensome to collect it today.

Consumers agrees with DTE Electric that additional effort and data gathering will be required for the TEP Filing Requirements, which may increase costs. Consumers states that, "[g]iven this, as the programs mature, we encourage Staff to revisit the need for each section of data requested to streamline the filing process for TEPs after the initial filings." Consumers' August 12, 2024 reply comments, p. 2.

MEGA also agrees with DTE Electric regarding the difficulties of collecting and sharing data. Specifically, MEGA states that its "members remain concerned about the costs and staff time associated with data collection and retention, generally, and the new requirements for these TEPs which are informational only and not part of a general rate case . . . ." MEGA's August 12, 2024 reply comments, p. 3.

The Staff expresses some disagreement with commenters that certain data will be difficult or impossible to collect. The Staff states that it "is not asking for the impossible, just best, reasonable efforts to determine load shapes for different types of charging. The 8760 data request can be performed in a reasonable manner that is not overly burdensome." Staff's August 12, 2024 reply comments, p. 3. According to the Staff, 8760 data is more useful than peak/off peak data because the Staff expects loads to shift and change in the future, and the collection and dissemination of 8760 data will assist with EV charging to avoid current and future peaks.

The Commission acknowledges the concerns expressed by DTE Electric, Consumers, and MEGA and amends the language of previous Section (6)(g) and creates new subsections (h) and (*i*), which read as follows:

> **(h)** Existing data on the availability and usage patterns of public charging stations including the ~~amount~~ **number** of ~~level 2 and~~ **direct current (**DC**)** fast chargers located within the ~~rate-regulated~~ **electric** utility's service territory and the average 8760-hour load shapes ~~for both kinds of chargers~~ over the last five years. **Where similar data is available for level 2 chargers, this information should be included as well**.
>
> **(*i*) An electric utility must provide all of the data and a description of the methodology, tools, and software that were used to forecast the EV-related energy and demand that are included in its TEP.**
>
> **(i) This would include all independent forecasts for the number of EVs within an electric utility's service area at least five years into the future, the distribution of light-, medium-, and heavy-duty vehicles, and the kilowatt-hours/miles driven for each type of vehicle included within the forecast**

and the subsequent EV-related load shapes that are projected by the forecasting models utilized by the utility.

(ii) Any data source that was used to inform the EV forecast model should be included in the TEP in a way that can be analyzed and verified by intervenors.

The Commission finds that this requirement should be revisited in the next iteration of the TEP Filing Requirements to determine the extent to which the utilities' data collection systems have advanced.

9. Previous Subsection (h)

According to Ford, the requirement that directs utilities to provide a forecast of electric load attributable to EVs for the next five years "should also include the time of day of that load and whether it is causing new peaks in distribution system loading. This will allow the Commission to better assess the potential rate design that is successful (or not) in avoiding creation of new peaks or contributions to existing peak usage." Ford's August 12, 2024 reply comments, p. 2. Ford contends that its suggestion corresponds with DTE Electric's support for efficient vehicle/grid integration and managed charging.

The Commission finds that Ford's recommendations are addressed in the Commission's amendments to previous Section (6)(g) and (h). However, the Commission finds that the language of previous Section (6)(h) should be amended for clarity and relocated to a new subsection (j), which reads as follows: "A forecast of the number of public **individual** charging ~~stations~~ **ports** to be added over the next five years broken out by charger type **and use case within the electric utility's service territory**; . . . ."

10. Previous Subsection (*i*)

MEIBC/United suggest that previous Section (6)(*i*) of the proposed TEP Filing Requirements be amended for clarity as follows: "The number of **light**~~lights~~, medium, and heavy-duty electric

vehicles **registered** in the rate regulated utility service territory in each of the last five years; . . . ."

MEIBC/United's July 22, 2024 initial comments, p. 11.

The Commission notes that there are no objections to MEIBC/United's proposed amendments. The Commission finds that the language of previous subsection (*i*) should be amended and relocated to a new subsection (k), which reads as follows: "**An estimate of** ~~T~~**t**he number of light-, medium-, and heavy-duty ~~electric vehicle~~ **EV**s **registered** in the ~~rate-regulated~~ **electric** utility's service territory in each of the last five years; . . . ."

11. Previous Subsections (j) and (k)

MEIBC/United state that:

> it is important that forecasts of EV deployment such as those proposed to be required in Section (6)(j) of the Staff Draft begin with a scenario analysis to consider different EV deployment scenarios (such as that conducted by Xcel Colorado and Xcel Minnesota). Michigan EIBC/United recommend that this recommendation be expanded to include not just a single forecast, but a series of forecasts according to these scenarios. To ensure alignment across state agencies and encourage a unified focus on Michigan's transportation electrification effort, TEPs should also include a deployment scenario based on the State's goal to reach 2 million EVs and 100,000 EV chargers by 2030.

MEIBC/United's July 22, 2024 initial comments, pp. 11-12 (footnotes omitted).

For the EV adoption and electric load forecasts required in previous Section (6)(j) and (k), the CEOs note that utilities must include a discussion of the methodology employed. However, the CEOs suggest that the Commission should also require:

> several scenarios or forecasts that include a range of potential outcomes. These scenarios might even be linked to specific education, outreach and incentive programs, or infrastructure and grid investment strategies proposed by the company that would help increase awareness and encourage greater adoption of EVs. This approach would allow for a more realistic range of possible EV adoption pathways within the utility service territory.

CEOs' July 22, 2024 initial comments, pp. 2-3.

The Commission respectfully declines to adopt the CEOs' recommendation to include several scenarios or forecasts in previous subsections (j) and (k) that include a range of potential outcomes. The Commission finds that the ongoing Statewide Energy Waste Reduction, Demand Response, and Efficient Electrification Potential study will provide useful data for future TEPs on this subject.

However, the Commission finds that the language of previous subsection (j) should be amended and relocated to a new subsection (*l*), which reads as follows:

> A forecast of the number of light-, medium-, and heavy-duty electric vehicles in the next five years as well as the source of the forecast data and methodology employed to produce the forecast**;**
>
> **(i) In addition to the highest probability forecast the electric utility identifies, for the 2026 and 2028 TEP filings, a TEP must include a deployment scenario based on the State of Michigan's goal to build the infrastructure necessary to support two million EVs on Michigan roads by 2030. This scenario should consider efforts needed to deploy 100,000 chargers by 2030;** . . . .

12. Previous Subsection (*l*)

In response to the requirement in previous Section (6)(*l*) that utilities provide an update on charging and vehicle technology, Ford suggests that previous subsection (*l*) be amended to require:

> EV and EV charger manufacturers to make a voluntary filing at least 6 months in advance of the TEP filings on this topic, or alternatively, to have the [Commission] host a technical conference on this issue at which EV and EV charger manufacturers are invited to present to meet the same need. This would allow all utilities to work from a common base of information in the TEP regarding EV and charging technologies. This would also limit the burden on manufacturers that could result from responding to multiple utility queries intended to address the same requirement.

Ford's August 12, 2024 reply comments, p. 2.

The Commission notes that there are no objections to Ford's proposals. The Commission finds persuasive Ford's recommendation to host a technical conference and directs the Staff to

convene a half-day Commission-sponsored technical conference to provide an update on charging and vehicle technology.

13. Previous Subsections (m) and (n)

MEIBC/United contend that Section (6)(m) and (n) are very similar and "should be combined into one requirement that ensures that the utility analyzes how the TEP impacts the distribution grid and provides a discussion of opportunities for efficient grid management." MEIBC/United's July 22, 2024 initial comments, p. 12.

The Commission notes that this issue was addressed above.

14. Previous Subsection (o)

MEIBC/United note that this subsection requires utilities to provide the data and analyses that were used to develop the TEPs. In MEIBC/United's opinion, "data and analysis will be needed for most (if not all) of the sub-requirements in Section (6). As such, it would likely be best to make this an overarching requirement at the beginning of Section (6)." MEIBC/United's July 22, 2024 initial comments, pp. 12-13.

The Commission notes that there are no objections to MEIBC/United's proposal. The Commission finds that MEIBC/United's recommendation is reasonable and prudent and that it should be adopted.

15. Previous Subsection (p)

MEIBC/United note that it appears that previous Section (6)(p) is missing from the Staff's proposed TEP Filing Requirements.

The Commission agrees with MEIBC/United that previous subsection (p) was inadvertently omitted from the proposed TEP Filing Requirements. The subsections in the final version of the

TEP Filing Requirements have been relabeled to account for the amendments discussed in this order.

16. Previous Subsection (r)

Consumers recommends that previous Section (6)(r) be amended, stating that:

> the cost-benefit analysis [should] compare revenue from load growth to expenditures per charging infrastructure incentive category (e.g. residential, multifamily, workplace, fast charging, etc.) to clarify what is broken out by category in the analysis. However, there will be some categories, such as outreach and education, that do not produce clear load data like charging infrastructure does. Thus, the Company recommends that such administrative expenditures be divided proportionally across the infrastructure incentive programs instead of being broken out as a stand-alone cost. The following language, replacing the existing language in Section (6)(r), would achieve this objective: "A cost-benefit analysis of all TEP strategies in total and also broken down by infrastructure segment (e.g. residential, multifamily, workplace, fleet, public DCFC [direct current fast charger], etc.). In doing so, the utility shall compare the revenue from EV load growth with TEP expenditures, proportionally broken out by a reasonable estimate of load per segment. Education, outreach, and administrative expenses may be spread across all applicable segments as part of this analysis."

Consumers' July 22, 2024 initial comments, p. 3.

DTE Electric contends that the "Staff's proposed Filing Requirement (6)(r), for a cost-benefit analysis of all EV efforts and programs both in total and broken down by program, is overly prescriptive and would require a significant time and resource commitment from the utility." DTE Electric's July 22, 2024 initial comments, p. 5. DTE Electric states that the BCA should remain at portfolio level because it will provide a more holistic review of a utility's EV efforts and impacts.

The CEOs support the Staff's suggestion that a BCA of all EV efforts and programs be broken down by program but assert that the programs are inextricably linked. Thus, the CEOs state that "[w]ithout further justification and guidance on what programs could or should be analyzed separately, the requirement for separate [BCA]'s [sic] by program could result in more confusion than helpful information. We would suggest dropping this requirement and instead require

[BCA]'s [sic] across the portfolio of a utility's programs." CEOs' July 22, 2024 initial comments, p. 3. Additionally, the CEOs recommend that the Commission explain how the BCA "should be applied to a utility's investment strategies, and whether the utility should be more conservative in returning benefits to ratepayers or more aggressive in maximizing the benefits." *Id*.

Consumers agrees with the CEOs that the BCA should be conducted on an aggregate basis, rather than a granular level, and that additional investment is needed to realize optimal societal benefits. Consumers states that "[t]ransporation [sic] electrification is critical to Michigan's future economically and environmentally. The current benefit-cost analysis methodology that the Company has submitted is indeed conservative because we have needed to prove that managed EV load is beyond any reasonable doubt a net benefit to all customers." Consumers' August 12, 2024 reply comments, p. 6.

Although MEIBC/United support the requirement that utilities provide a BCA of all EV efforts and programs broken down by program, they recommend that the Commission provide more detail and guidance regarding the components to be included in the BCA. MEIBC/United assert that "[o]bjective, robust BCAs with clearly stated assumptions that inform benefit-cost calculations allow utilities, public utility commissions, and other interested [persons] to assess proposed utility investments, including those in TEPs, with clarity." MEIBC/United's July 22, 2024 initial comments, p. 3 (footnotes omitted). MEIBC/United suggest that the Commission could utilize the following BCAs to evaluate the TEPs: (1) participant cost test, (2) ratepayer impact measure, (3) utility cost test, (4) total resource cost test, (5) societal cost test (SCT), and (6) jurisdiction-specific test. *See*, *id*., p. 4. In addition, MEIBC/United contend that "[t]o fully capture the value of a utility TEP, it is important that Michigan's utilities evaluate not

only the TEP programs' financial impact on ratepayers and the utility system (as DTE Electric did in its 2024 TEP filing), but also, on society as a whole." *Id*.

In response to MEIBC/United's request to include additional details in a TEP, Consumers states that while it "believes that net benefits are already solidly proven, diving deeper into aspects such as the avoided emissions, public health, economic benefits, and avoided distribution system investments would increase the ratio of benefits to costs and could better illustrate that investment in customer charging infratructure [sic] is not yet fully optimized." Consumers' August 12, 2024 reply comments, pp. 3-4. Consumers contends that, to gather this information, additional investment and multiple consultants will be needed. Specifically, the company recommends that:

> [g]iven the number of utilities that will be filing TEPs and the desire for consistency in the TEP filings and annual progress reports, it may be better for the State of Michigan to develop one study that estimates such key factors per EV or per kWh [kilowatt-hour] of charging, and in that way each utility can consistently report their proportional societal impacts (beyond the margins from EV load growth) while optimizing consulting expense and consistency in projections. Consumers would be willing to pay our proportional share for the development of such a benchmark for future reports if this level of detail is actually desired.

Id., p. 4. The company contends that this will provide a more comprehensive, streamlined, and collaborative approach.

Responding to MEIBC/United's list of items required to develop a BCA, Consumers asserts that much of this information is included in its June 2024 TEP filing, and the additional societal information requested by MEIBC/United was addressed in the company's previous comments. However, the company states that "factors such as utilization rates and anticipated government funding are not critical and unlikely to add value beyond what Staff has already proposed for reporting requirements." *Id*. In addition, because government funding is uncertain, Consumers prefers the Staff's suggestion to discuss how utility TEP funding has complemented or augmented

opportunities, including collaboratives with schools who received U.S. Environmental Protection Agency Clean School Bus funding.

The CEOs note that DTE Electric and Consumers agree that it would be especially difficult to conduct a BCA by program as required by previous subsection (r). However, the CEOs state that "[w]e are certainly open to utilities conducting [a BCA] on a sub-portfolio level if such programs can truly stand on their own." CEOs' August 12, 2024 reply comments, p. 2. Regarding MEIBC/United's recommendation that utilities perform broader BCAs, the CEOs agree and suggest that the Commission develop a common BCA framework. The CEOs assert that this would ensure that the BCAs are relatively consistent and comparable, would reduce challenges by interested persons to the methodology used, and would provide more confidence in the TEP planning process. Furthermore, the CEOs state that "developing a unified approach for [a] TEP [BCA] could support or be part of a broader [BCA] that would also consider DERs [distributed energy resources] in addition to EV charging, such as energy efficiency, demand response, distributed generation, storage, and beneficial electrification." *Id.*, p. 3. The CEOs recommend that the Commission establish a workgroup, assisted by a third-party contractor, to develop methodologies and data to be included in a BCA.

Regarding the components of a BCA, the Staff asserts that the Utility Cost Test is the most appropriate. The Staff explains that "[u]tility costs, as compared to other costs in other tests, are well known to the parties in [Commission] filings and are under the control of the utility. These costs are also under the authority of the commission regarding rate recovery." Staff's August 12, 2024 reply comments, p. 2. According to the Staff, the SCT is less suitable for a BCA in a TEP. The Staff states that, in an SCT, "it is clear that carbon reductions in the utility industry are the responsibility of the utility and hence utility customers. It is much less clear to what extent

carbon reductions in the transportation industry are the responsibility of the utility and hence utility customers." *Id*.

In response to comments that the BCA should be performed on a portfolio basis and not by individual program, the Staff disagrees in part. The Staff explains that:

> [i]t is reasonable to say that some cost exceeding benefit pieces are necessary to other parts of the portfolio but knowing that the costs exceed the benefits for part of the portfolio will help in determining that the piece should only be included to the least extent possible. Furthermore, pieces that have significantly more cost than benefit, may not be able to justify their costs even if they benefit other parts of the portfolio. Therefore, Staff feels it is reasonable to look at the BCA of individual pieces, even if it is on a more rudimentary basis than a more detailed portfolio analysis.

Id., pp. 2-3.

After a review of the comments, and with the acknowledgement that the Commission is in the process of developing an open-source BCA tool with the help of a third-party consultant that will be ready in 2026, the Commission finds that previous Section (6)(r) should be amended and a new subsection (o) should be created, which reads as follows:

> ~~A cost-benefit analysis of all EV efforts and programs in total and also broken down by program;~~ **When a benefit-cost analysis is used in the development of the TEP, the methodology, analysis, and alternatives of the analysis shall be detailed. If the electric utility chooses to use scenario planning, it must discuss the analysis performed and present potential challenges under each scenario**; . . . .

This requirement for BCAs in the TEP filing requirements may be revisited following the development of the open-source BCA tool.

17. Previous Subsection (s)

DTE Electric recommends amending previous subsection (s) to "'[d]escribe rate designs available to electrified transportation customers[.'] Ratemaking and rate design requires [sic] considerations beyond support for a specific technology or end purpose, such as electric vehicles

or ‘grid stability and resilience’ and is more appropriately discussed in a broad proceeding such as general rate cases.” DTE Electric’s July 22, 2024 initial comments, p. 5.

The CEOs state that they support the requirement that TEPs include a discussion of rate designs that will provide grid stability and resilience. However, the CEOs request that the Commission direct the utilities to identify for discussion rate designs that could disincentivize “potential adoption of EVs or investments in EV infrastructure.” CEOs’ July 22, 2024 initial comments, p. 4.

MEIBC/United contend that it is “important to ensure that rate designs are established to shift and shape load to reduce costs and benefit customers.” MEIBC/United’s July 22, 2024 initial comments, p. 13. Accordingly, MEIBC/United recommend that previous Section (6)(s) be modified as follows: “Rate designs that lead to grid stability, ~~and~~ resilience, **peak shaving, and cost savings**[.]” *Id*. (emphasis in original).

Consumers supports the rate design recommendations made by the CEOs for DCFCs and demand charges. Consumers states that it “does not believe that fast chargers in our territory are ready to transition to demand based rates and some may never be economical under current demand based tariffs given their geographic specific utilization (e.g[.] rural and seasonal tourist areas).” Consumers’ August 12, 2024 reply comments, p. 7.

The CEOs disagree with DTE Electric’s suggestion to address rate design challenges in a general rate case. Rather, the CEOs contend that “[t]he TEP provides the proper context for the discussion of potential rate designs to address transportation electrification challenges, and would help to prepare [interested persons] for the introduction of rate design proposals in upcoming rate cases.” CEOs’ August 12, 2024 reply comments, p. 4.

The Commission agrees with the Staff's general comments that EV rates and rate design are better analyzed and discussed in a contested rate case. Thus, the Commission finds that previous subsection (s) should be stricken.

18. Previous Subsection (t)

The Commission finds that the language of previous subsection (t) should be amended for clarity and relocated to a new subsection (q), which reads as follows: "An overview of any vehicle to grid or similar **EV-**related pilot programs and findings to date."

19. Previous Subsection (u)

MEIBC/United note that previous subsection (u)(ii) states that a utility must describe how it will "equitably expand EV adoption." MEIBC/United's July 22, 2024 initial comments, p. 13 (quoting the Staff's proposed TEP Filing Requirements, filing #U-21492-0007, p. 6). In MEIBC/United's opinion, this requirement may be outside the purview of a rate-regulated electric utility. MEIBC/United contend that the requirement in subsection (u)(iv), "listing any programs currently in place to assist equitable adoption of EV charging infrastructure," is more reasonable. MEIBC/United's July 22, 2024 initial comments, p. 13.

Consumers notes that previous subsection (u)(iii) references the federal Justice40 map. Consumers recommends that the section be amended to include the Michigan Department of Environment, Great Lakes, and Energy's (EGLE's) Environmental Justice (EJ) (MiEJ) Screening Tool because it includes a range of factors applicable to an EJ analysis. The CEOs agree. *See*, CEOs' July 22, 2024 initial comments, pp. 4-5.

DTE Electric contends that although previous subsection (u)(iii) "aims to promote equitable access to charging infrastructure . . . there are specific challenges in terms of data availability, accuracy, and mapping effort[s]. While technology and data accessibility improvements may

support this requirement in the future, it would be difficult today." DTE Electric's July 22, 2024 initial comments, p. 4.

The Commission agrees with MEIBC/United that previous subsection (u)(ii) may be outside the purview of a rate-regulated utility and finds that it should be stricken. The Commission also agrees with Consumers and the CEOs that the MiEJ Screening Tool should be added to the previous subsection (u)(iii). Finally, the Commission acknowledges DTE Electric's concerns regarding data availability, accuracy, and mapping. Accordingly, the language of previous subsection (u) is amended and relocated to a new subsection (r), which reads as follows:

> Strategies and measures for expanding transportation electrification among **disadvantaged communities**, low-income customers, and underserved communities including:
>
> (i) **an analysis, to the extent available, of the** adoption of ~~PEV~~ **plug-in electric vehicles** or installation of charging stations by income;
>
> ~~(ii) how the rate regulated electric utility plans to equitably expand EV adoption;~~
>
> ~~(iii)~~ **(ii) the utilization of both** ~~mapping of public charging stations and their proximity to EJ communities using~~ the EV Charging Justice40 map **and the Michigan Department of Environment, Great Lakes, and Energy's Environmental Justice (EJ) Screening Tool (MiEJScreen) in the TEP's analysis and recommendations**; and
>
> ~~(iv)~~ **(iii)** list~~ing~~**(s) of** any programs currently in place to assist equitable adoption of EV charging infrastructure.

The Commission finds that this requirement should be revisited in the next iteration of the TEP Filing Requirements to determine whether the utilities' data collection systems have advanced.

20. Previous Subsection (w)

There were no comments filed on this subsection; however, the Commission finds that subsection (w) should be stricken and relocated to Section (6)(a).

Section (7)

MEIBC/United assert that because the "TEP filings are informational in nature, it is essential that the Commission establish an appropriate filing schedule to ensure that comments filed on the TEPs help to inform utility filings in general rate cases." MEIBC/United's July 22, 2024 initial comments, p. 14. Specifically, MEIBC/United recommend that TEPs should be required to be filed at least 180 days prior to a utility rate case filing. MEIBC/United state that "[t]his will allow [interested persons] to provide comments that may improve the TEP prior to the utility finalizing its next general rate case filing in which the TEP programs and proposals will be evaluated." *Id*., pp. 14-15.

The CEOs generally agree with MEIBC/United that a TEP should be filed approximately 180 days prior to a rate case because it "ensure[s] that issues and data provided in a TEP can be incorporated into the next contested case proceeding in a timely manner. Since TEPs are informational in nature, coordinating the TEP filing with the next general rate case would also help to ensure that substantive issues raised in the TEP can be properly addressed as part of a contested case." CEOs' August 12, 2024 reply comments, p. 2.

Consumers objects to MEIBC/United's and the CEOs' request that TEPs be filed at least 180 days prior to a general electric rate case. The company states that "[t]he TEP or annual update most recently filed prior to the [electric rate case] must be utilized as the benchmark. To think that the exact timing of an [electric rate case] can be known and all the requirements of a TEP filing (which often take at least three months to pull together) backed out from that variable date is not reasonable." Consumers' August 12, 2024 reply comments, p. 5.

The Commission respectfully declines to adopt MEIBC/United's and the CEOs' recommendations that TEPs be filed at least 180 days prior to a utility rate case filing. The

Commission finds that because of the uncertain timing of the filing of a general electric rate case filing, it is unfeasible to require that a TEP be filed 180 days prior. The Commission agrees with Consumers that the TEP of the most recent annual update can serve as the appropriate benchmark for specific EV-related investments proposed in an electric utility's general rate case.

Section (8)

MEIBC/United state that pursuant to Section (8)(a) of the TEP Filing Requirements, utilities would only file a TEP every three years. However, MEIBC/United argue that "[i]t seems unreasonable to allow a utility three years to file a TEP and [interested persons] only 30 days to review this complicated filing." MEIBC/United's July 22, 2024 initial comments, p. 15. MEIBC/United assert that the review period should be extended to 45 business days. Similarly, for Section (8)(b) of the proposed TEP Filing Requirements, MEIBC/United contend that the reply comment period should be extended to at least 30 business days.

The Commission notes that there are no objections to MEIBC/United's proposal. The Commission finds that MEIBC/United's recommendation is reasonable and prudent and that it should be adopted. In addition, the Commission finds that Section (8)(c) should be stricken.

Section 9

MEIBC/United note that subsection (c)(iii) "proposes to require 'the number of public chargers added since the most recent TEP, as well as the average 8760-hour load shapes for each type of public charger since the most recently approved TEP.'" MEIBC/United's July 22, 2024 initial comments, pp. 15-16 (quoting the Staff's proposed TEP Filing Requirements, filing #U-21492-0007, p. 7). MEIBC/United recommend that this requirement "be expanded to include the number of all chargers added – by port type and use case – as well as the number of additional ports planned or in development." MEIBC/United's July 22, 2024 initial comments, p. 16.

MEIBC/United also note that subsection (c)(vii) "proposes to require 'an estimate of usage or of the amount of energy sold' and Section (9)(c)(ix) proposes to require 'estimated electricity consumption by participating EV charging stations.'" *Id*. (quoting the Staff's proposed TEP Filing Requirements, filing #U-21492-0007, p. 8). MEIBC/United state these requirements appear to be substantially similar and recommend that they be combined. However, if the requirements are meant to be different, MEIBC/United suggest that they be sufficiently clarified. And because TEP programs do not have load data or load profiles, MEIBC/United request that the language in subsection (c)(xi) be clarified to reflect that the TEP will "lead to generation of load data and load profiles by program participants." MEIBC/United's July 22, 2024 initial comments, p. 16.

Furthermore, MEIBC/United recommend that the following information be included in an Annual Progress Report:

- A report of direct current fast charger ("DCFC") energization timelines;
- A report of the average cost of publicly available charging ports by type and use case;
- A report of the average cost of make ready infrastructure investments at these sites; and
- A report of average uptime per charging port by charging port type, for publicly available charging ports.

Id. MEIBC/United also state that:

> [t]he U.S. Federal Highway Administration mandates that each [National Electric Vehicle Infrastructure]-funding charging port have an average annual uptime of 97%, with exclusions for special circumstances, such as scheduled maintenance[,] vandalism, and natural disasters. According to CFR 680.116, charging port uptime must be calculated used [sic] the following equation:
>
> $\mu = ((525{,}600-(T_outage-T_excluded))/525{,}600) \times 100$[37].

Id., p. 17 (footnotes omitted).

Although the CEOs appreciate the Staff's proposal to allow for a comment process for TEPs, the CEOs request that the Commission allow more time to review the initial TEPs. In addition, the

CEOs "recommend creating a process for interested parties to comment on annual progress reports, and any significant programmatic changes a utility proposes to make over year to year," that are required by subsection (xiv). CEOs' July 22, 2024 initial comments, p. 5.

The CEOs recommend several changes to the annual progress report requirements:

- Progress toward addressing challenges or evaluation of any new rate designs as recommended in [Section] 6(s) and as modified above.
- Progress toward the program performance indicators required in [Section] 6(v).
- In [Section] 9(vi), we suggest adding the number of participants in priority EJ communities, as identified by the MiEJ screen tool (noted above).

Id.

Consumers notes that it appreciates the CEOs' acknowledgment that TEPs and annual progress reports require significant effort from the utilities and that a balanced approach is needed. Consumers states that "Michigan does not need paralysis of analysis from overly prescriptive and detailed TEP filings. We need to pace EV charging infrastructure development ahead of the EV adoption curve to optimize our clean transportation future and economic growth." Consumers' August 12, 2024 reply comments, p. 7.

Ford supports MEIBC/United's recommendation that the TEP Filing Requirements include a report on energization timelines for DCFCs. In addition, Ford suggests that the TEP Filing Requirements include "a review of utility timelines for energization that includes fleet depot charging projects. Such projects face similar challenges to DCFC installation, in that charging depots can have clustered impacts and are more likely to trigger upgrades by either the customer, the utility, or both." Ford's August 12, 2024 reply comments, p. 1. Ford contends that adoption of energization timelines for necessary grid upgrades would be beneficial for both customers and utilities.

The Commission finds that Section (9)(a) should be amended for clarity as follows: "Each ~~rate-regulated~~ **electric** utility shall file an annual ~~progress~~ report of its progress in meeting the requirements and goals of its TEP. ~~All r~~**R**eports must be filed in ~~docket~~ **Case** No. U-21538 by June 1~~, 2025~~ **of each year following the electric utility's initial TEP. An electric utility with fewer than 100,000 customers may seek a waiver from this requirement**; . . . ."

The Commission appreciates MEIBC/United's suggestion to expand the requirement in subsection (c)(iii) to include the number of all chargers added by port type and use case, as well as the number of additional planned ports. However, the Commission notes the requested data are not in scope for individual utility TEPs and are better aligned with broader state mobility goals/plans and infrastructure assessments. Thus, the Commission respectfully declines to adopt MEIBC/United's proposed amendments at this time.

The Commission finds persuasive the CEOs' recommendation to add the number of participants in priority EJ communities, as identified by the MiEJScreen, to subsection (vi). Accordingly, Section (9)(c)(vi) is amended as follows:

> The number of participants in TEP programs, including:
>
> (a) estimated low-income customer participation;
>
> (b) **number of participants in priority EJ communities as identified by the MiEJScreen tool; and**
>
> **(c)** participation by customer rate class.

The Commission finds persuasive MEIBC/United's recommendation to combine the requirements in subsections (vii) and (ix). Thus, Sections (9)(c)(vii) and (9)(c)(ix) are amended as follows:

> (vii) An estimate of usage or of the amount of energy sold to program participants during off-peak and on-peak hours **with the greatest level of time detail possible, ideally hourly**, as well as the change in usage since the last annual report;

* * *

~~(ix) Estimated electricity consumption by participating EV charging stations in kWh both individually and aggregated with the greatest level of time detail possible, ideally hourly;~~

The Commission also finds that MEIBC's recommendations should be added. Thus, the following subsections are added to Section (9)(c):

(x) A report of DC fast charger energization timelines;

(xi) A report of the average cost of publicly available charging ports by type and use:

(xii) A report of the average cost of make-ready infrastructure investment at these sites;

(xiii) A report of average uptime per charging port, by charging port type, for publicly available charging ports; . . . .

The Commission finds persuasive the CEOs' request to require information in the annual report regarding progress toward the program performance indicators required in previous Section (6)(v). Accordingly, Section (9)(c) is amended as follows:

(xvi) Progress toward the program performance indicators required in 6(r); and

(xvii) Any significant programmatic changes in its TEP programs since the preceding year.

<u>Section (10)</u>

MEIBC/United note that subsection (c) states that future changes to the filing requirements will be posted in the relevant docket. MEIBC/United assert that, "[g]iven that there may be many relevant dockets (e.g., [Case Nos.] U-21538, U-21492, general rate case dockets, etc.), Michigan EIBC/United recommend that the Commission clarify in which docket it expects to post updates to

the filing requirements. Such clarity will help [interested persons] follow any future updates and ensure greater participation." MEIBC/United's July 22, 2024 initial comments, p. 17.

The Commission notes that there are no objections to MEIBC/United's proposal. Therefore, Section (10)(c) is amended as follows: "Any future changes will be posted in **Case No. U-21538** ~~the relevant docket~~ with the opportunity for any interested ~~party~~ **person** to comment on them."

THEREFORE, IT IS ORDERED that:

A. The Transportation Electrification Plan Filing Requirements are approved, as amended.

B. The Commission Staff shall modify the Transportation Electrification Plan Filing Requirements to incorporate the amendments identified in this order and shall upload the document to this docket and the Commission's website no later than 5:00 p.m. (Eastern time) on February 6, 2025.

C. The Transportation Electrification Plan Filing Requirements are effective on the date this order is issued.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at LARA-MPSC-Edockets @michigan.gov and to the Michigan Department of Attorney General - Public Service Division at sheac1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Daniel C. Scripps, Chair

Katherine L. Peretick, Commissioner

Alessandra R. Carreon, Commissioner

By its action of January 23, 2025.

Lisa Felice, Executive Secretary

P R O O F O F S E R V I C E

STATE OF MICHIGAN)

Case No. U-21492

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on January 23, 2025 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

Brianna Brown

Subscribed and sworn to before me
this 23rd day of January 2025.

Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2030

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