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**Technology, Energy & Communications  
Committee**

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**HB 1571**

**Brief Description:** Limiting regulation of electric vehicle battery charging facilities.

**Sponsors:** Representatives Eddy, McCoy, Crouse, Frockt, Kelley, Short, Jacks, Fitzgibbon and Billig; by request of Utilities & Transportation Commission.

**Brief Summary of Bill**

- Specifies that the Utilities and Transportation Commission (UTC) may not regulate battery charging facilities offered by an entity if that entity: (1) is not subject to the UTC's jurisdiction; or (2) is subject to the UTC's jurisdiction but is not subsidizing its battery charging facilities with any regulated service.

**Hearing Date:** 2/4/11

**Staff:** Kara Durbin (786-7133).

**Background:**

Utilities and Transportation Commission.

The Utilities and Transportation Commission (UTC) is a three-member commission that has broad authority to regulate in the public interest the rates, services, and practices of privately-owned utilities and transportation companies. The UTC regulates these utilities under a "rate of return" system, in which a regulated utility is generally allowed to charge rates to cover its costs, plus reasonable compensation for the services rendered. The retail sale of electricity is generally subject to regulation by the UTC, unless a legal exception applies.

Electric Vehicles.

Electricity can be used as a transportation fuel to power electric vehicles. Electric vehicles are propelled by an electric motor powered by rechargeable battery packs. These vehicles typically

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have limited energy storage capacity, which must be replenished by plugging the vehicle into an electrical source to recharge the battery.

#### Battery Charging Stations.

In 2009, the Legislature passed an act to support the planning for, and development of, electric vehicle infrastructure in the state, including the deployment of stations to charge electric vehicle batteries. Under the act, a battery charging station generally refers to a code-compliant electric assembly designed to charge electric vehicle batteries. A rapid charging station is generally defined as a code-compliant, industrial grade electrical outlet that provides faster recharging of electric vehicle batteries.

#### UTC Electric Vehicles Work Session.

In October of 2010, the UTC held a work session to consider its regulatory role related to electric vehicles. The work session included discussion of regulatory issues relating to the resale of electricity at public charging stations and whether such activity should be subject to economic regulation by the UTC.

#### **Summary of Bill:**

The Utilities and Transportation Commission (UTC) may not regulate the rates, services, facilities, and practices of any entity that offers battery charging facilities to the public for hire if that entity: (1) is not otherwise subject to the UTC's jurisdiction as an electrical company; or (2) is otherwise subject to the UTC's jurisdiction as an electrical company, but its battery charging facilities are not subsidized by any regulated service.

The bill incorporates definitions of "battery charging station" and "rapid charging station" that are used in current law.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.