

The Florida Senate  
**COMMITTEE MEETING EXPANDED AGENDA**

**TRANSPORTATION**  
**Senator Harrell, Chair**  
**Senator Perry, Vice Chair**

**MEETING DATE:** Tuesday, October 19, 2021  
**TIME:** 10:30—11:45 a.m.  
**PLACE:** *Toni Jennings Committee Room, 110 Senate Building*

**MEMBERS:** Senator Harrell, Chair; Senator Perry, Vice Chair; Senators Berman, Bracy, Gainer, Jones, Rodriguez, and Wright

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
		Presentation on Regulatory Considerations Relating to Electric Vehicle Charging Infrastructure by the Public Service Commission	Presented
		Panel Discussion on the Deployment of Electric Vehicle Charging Infrastructure	Discussed
		Other Related Meeting Documents	

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# **Electric Vehicle Master Plan Utility Regulatory Considerations**

*Presentation to the*

## **Senate Transportation Committee**



Cayce Hinton, Director  
Office of Industry Development and Market Analysis  
October 19, 2021

# Electric Vehicle Master Plan

## Florida Public Service Commission (FPSC) Tasks

- 20-year projection of EV use, how to ensure adequate supply of EV charging infrastructure, and evaluation of current and future technology
- Strategies to develop supply of charging stations
- Identify the regulatory structure necessary for delivery of electricity to EV charging station infrastructure, including competitively neutral policies and public utility participation in the marketplace



# Florida Public Electric Utilities

- Vertically Integrated
  - Generation, Transmission, Distribution of electricity to retail customers
- Exclusive Service Territories
- Regulatory Oversight by FPSC
  - Chapters 350 and 366, F.S.



# FPSC Regulatory Authority

- **Rate Base/Economic Regulation**
  - Establish revenue requirements and set rates
  - Conduct earnings surveillance to ensure regulated utilities are not exceeding authorized rates of return
  - Municipal and Rural Cooperative utilities are exempt from FPSC rate setting authority
- **Consumer Protection and Safety**
  - Investigate consumer complaints
  - Conduct safety inspections of electric facilities
- **Bulk Power Grid Planning**
  - Oversight of the planning, development, and maintenance of the grid to ensure an adequate and reliable supply of energy



# Electric Vehicle Charging

- Section 366.02(1), F.S., defines a public utility as any person, corporation, or other entity supplying electricity to or for the public within the state
  - Interpreted to mean that selling electricity to retail customers deems one a public utility subject to the rate setting authority of the FPSC
- Section 366.94(4), F.S., states that the provision of electric vehicle charging to the public by a non-utility is not the retail sale of electricity and not subject to regulation by the FPSC
  - EV charging stations are regulated by FDACS



# EVMP Stakeholder Engagement

- Consensus that Florida's current regulatory structure is appropriate for delivery of electricity to EV charging stations
- Focus on flexibility to adopt different models of utility and third-party ownership
- Avoid prematurely and narrowly defining the role of public utilities



# Utility Regulatory Considerations

- Utility interaction with third-party EV charging station owners
- Utility participation directly in the EV charging Marketplace





# Utility and Third-Party EV Chargers

- Make-ready Installations
- Rates and Rate Design
  - Demand Charges
  - Time-of-use rates



# Utility Participation

- Competitive Neutrality
- Cost of Service
  - Cost-based Rates
  - Subsidization



# Public Utility Programs

- EV Charging Pilot programs
- Mix of residential and commercial elements
- Rebates for EV charging station installation
- Rates for utility-owned and non-utility charging stations



# Questions?



The Florida Senate

APPEARANCE RECORD

10/19/21

Meeting Date

Transportation

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name Cayce Hinton (Public Service Comm) Phone 850-413-6950

Address 2540 Shumard Oak Blvd Email chinton@psc.state.fl.us

Street

Tallahassee FL 32399

City

State

Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

(by request)

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] I am appearing without compensation or sponsorship. [ ] I am a registered lobbyist, representing: [ ] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

**Panelists:**

**Justin Ackley      ChargePoint**

**Pete Westlake      Orlando Utilities Commission**

**Ned Bowman      The Florida Petroleum Marketers Association**

**Matt Alford      Drive Electric Florida**

The Florida Senate  
**APPEARANCE RECORD**

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10/19/21

Meeting Date

EV Presentation

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Pete Westlake Phone 407-417-7646

Address 160 West Anderson St Email pwestlake@ovc.com  
Street

Orlando FL 32801  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

- I am appearing without compensation or sponsorship.
- I am a registered lobbyist, representing:
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S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

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Bill Number or Topic

Amendment Barcode (if applicable)

10/19

Meeting Date

S. Trans

Committee

Name

M Justin Ackley

Phone

512 764 7513

Address

5925 Gunnison Turn Road

Email

justin.ackley@chargepoint.com

Street

Austin

City

TX

State

78738

Zip

Speaking:

For

Against

Information

**OR**

Waive Speaking:

In Support

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

ChargePoint, Inc.

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

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10/19/21  
Meeting Date

Sen DOT  
Committee

\_\_\_\_\_  
Bill Number or Topic

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name Ned Bowman

Phone 850 524 6609

Address 1983 Centre Pointe Blvd

Email Ned@PFMA.ORG

Tallahassee FL 32308  
City State Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate  
**APPEARANCE RECORD**

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EV WORKSHOP

Bill Number or Topic

10/12/21

Meeting Date

TRANSPORTATION

Committee

Name MATTHEW ALFORD

Amendment Barcode (if applicable)  
Phone (850) 556-6487

Address \_\_\_\_\_

Street

Email MATTHEW.ALFORD@DRIVEELECTRICFLORIDA.ORG

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

DRIVEELECTRICFLORIDA

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

# CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Transportation Committee

Judge:

Started: 10/19/2021 10:31:33 AM

Ends: 10/19/2021 11:44:05 AM Length: 01:12:33

10:31:31 AM Meeting called to order by Chair Harrell  
10:31:47 AM Roll call by CAA Marilyn Hudson  
10:31:55 AM Quorum present  
10:32:03 AM Senator Perry is excused  
10:32:13 AM Comments from Chair Harrell  
10:32:34 AM Introduction of Tab 1, Presentation on Regulatory Considerations Relating to Electric Vehicle Charging Infrastructure by Chair Harrell  
10:33:41 AM Speaker Cayce Hinton, Director, Office of Industry Development and Market Analysis, Florida Public Service Commission  
10:46:54 AM Comments from Chair Harrell  
10:47:21 AM Response from Mr. Hinton  
10:47:44 AM Comments from Chair Harrell  
10:47:53 AM Question from Senator Jones  
10:48:02 AM Response from Mr. Hinton  
10:48:25 AM Follow-up question from Senator Jones  
10:48:30 AM Response from Mr. Hinton  
10:49:01 AM Follow-up question from Senator Jones  
10:49:07 AM Response from Mr. Hinton  
10:50:04 AM Follow-up question from Senator Jones  
10:50:11 AM Response from Mr. Hinton  
10:50:53 AM Question from Senator Gainer  
10:50:57 AM Response from Mr. Hinton  
10:51:30 AM Follow-up question from Senator Gainer  
10:51:41 AM Response from Mr. Hinton  
10:53:11 AM Follow-up question from Senator Gainer  
10:53:28 AM Comments from Chair Harrell  
10:53:53 AM Question from Senator Berman  
10:54:01 AM Response from Mr. Hinton  
10:54:15 AM Follow-up question from Senator Berman  
10:54:22 AM Response from Mr. Hinton  
10:54:52 AM Follow-up question from Senator Berman  
10:54:58 AM Response from Mr. Hinton  
10:56:00 AM Comments from Chair Harrell  
10:56:26 AM Question from Senator Wright  
10:56:32 AM Response from Mr. Hinton  
10:57:50 AM Comments from Chair Harrell  
10:58:39 AM Introduction of Tab 2, Panelists regarding discussion on the Deployment of Electric Vehicle Charging Infrastructure by Chair Harrell  
11:01:35 AM Speaker Pete Westlake, Manager, Orlando Utilities Commission  
11:04:38 AM Comments from Chair Harrell  
11:04:45 AM Speaker Justin Ackley, ChargePoint  
11:07:24 AM Speaker Ned Bowman, Executive Director, The Florida Petroleum Marketers Association  
11:12:33 AM Speaker Matt Alford, Drive Electric Florida  
11:19:29 AM Comments from Chair Harrell  
11:19:47 AM Question from Senator Jones  
11:20:00 AM Response from Mr. Westlake  
11:21:27 AM Question from Senator Jones  
11:21:38 AM Response from Mr. Bowman  
11:22:39 AM Follow-up question from Senator Jones  
11:22:46 AM Response from Mr. Bowman  
11:24:01 AM Question from Senator Jones  
11:24:12 AM Response from Mr. Alford

11:27:10 AM Response from Mr. Ackley  
11:30:25 AM Response from Mr. Westlake  
11:31:49 AM Question from Senator Gainer  
11:31:55 AM Response from Mr. Westlake  
11:32:17 AM Follow-up question from Senator Gainer  
11:32:28 AM Response from Mr. Westlake  
11:32:48 AM Question from Senator Gainer  
11:32:56 AM Response from Mr. Bowman  
11:33:40 AM Follow-up question from Senator Gainer  
11:33:49 AM Response from Mr. Bowman  
11:35:23 AM Question from Senator Gainer  
11:35:32 AM Response from Mr. Alford  
11:36:28 AM Question from Senator Berman  
11:36:34 AM Response from Mr. Westlake  
11:38:14 AM Response from Mr. Ackley  
11:39:38 AM Response from Mr. Bowman  
11:39:47 AM Response from Mr. Alford  
11:42:03 AM Comments from Chair Harrell  
11:43:47 AM Senator Wright moves to adjourn  
11:43:53 AM Meeting adjourned



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Appropriations Subcommittee on Criminal and  
Civil Justice, *Chair*  
Transportation, *Vice Chair*  
Agriculture  
Appropriations  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development  
Criminal Justice  
Environment and Natural Resources

## SENATOR KEITH PERRY

8th District

October 15, 2021

The Honorable Gayle Harrell  
Chair of Committee on Transportation  
322 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Harrell:

I respectfully request to be excused from the Committee on Transportation on October 19, 2021.

If you have any questions regarding this request, please do not hesitate to contact my office, or myself. Thank you for consideration of this matter.

Sincerely,

  
Senator Keith Perry

CC: Rob Vickers, Staff Director, Committee on Transportation

### REPLY TO:

- 2610 NW 43rd Street, Suite 2B, Gainesville, Florida 32606 (352) 264-4040
- Marion County Board of Commissioners, 115 SE 25th Avenue, Ocala, Florida 34471 (352) 732-1249
- Putnam County Government Complex, 2509 Crill Avenue, Palatka, Florida 32177
- 406 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5008

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**WILTON SIMPSON**  
President of the Senate

**AARON BEAN**  
President Pro Tempore