

**BEFORE
THE ALABAMA PUBLIC SERVICE COMMISSION**

In the Matter of Generic Proceeding)
To Determine the Commission's) Docket No. 32694
Jurisdiction over Electric Vehicle)
Charging Stations)



COMMENTS SUBMITTED BY HONDA MANUFACTURING OF ALABAMA, LLC

On October 30, 2017, the Alabama Public Service Commission (Commission) issued an order requesting public comments on the topic of electric vehicle stations (EVCS). Specially, the jurisdiction of the Commission to regulate such EVCS under Title 37, Code of Alabama 1975, as amended. Along with the underlying question of the jurisdiction of the Commission to regulate EVCS, the Commission outlined eleven (11) general comments for the public to comment on to aid the Commission during its deliberation under this Order.

Honda manufacturing of Alabama, LLC (HMA) was formed in 1999 and is located at 1800 Honda Way, Lincoln, Alabama. HMA produces a number of Honda model vehicles at its automobile manufacturing facility in Lincoln. As an interested party in the development of EVCS to support electric vehicle sales and operation in Alabama and in the United States in general, HMA submits these comments for docket no. 32694 and is prepared to submit reply comments in January, 2018.

Before addressing the specific questions outlined in the October 30, 2017 order, HMA would like to suggest that the electric utility companies in Alabama play a central role in the strategic planning of EVCS infrastructure to ensure both cost-effective and electric grid responsible EVCS solutions. And just as important, the expansion of the EVCS infrastructure across the state of Alabama. The electric utility companies can reach all consumers in Alabama and aid in consumer awareness with both educational and outreach programs.

Turning to the specific questions raised in the Order, HMA will only address several of the eleven (11) questions. HMA is not in a position to comment on questions 3, 4, 5, 6, 8, 9, 10 or 11. HMA is willing to continue to be available through this process to aid the Commission as it develops a regulatory framework for the deployment of EVCS infrastructure in the state of Alabama. The remaining questions are listed below:

- (1) Is an EVCS a “plant, property or facility utilized for the generation, transmission or distribution, sale or furnishing.... of electricity pursuant” to Alabama law? ;

- (2) If it is determined that EVCS are facilities utilized for the provision of electricity as discussed in question 1 above, what constitutes the provision of electricity “to or for the public” under existing law? Moreover, are there any known or envisioned scenarios where EVCS may offer electricity without such offering being classified as “to or for the public.” If so, please describe and explain such scenarios. ; and

- (7) If a third party were to generate its own electricity and use such generation for the operation of its publicly available electric vehicle charging stations, should such operations be subject to the Commission’s jurisdiction? If so, to what extent?

Concerning question 1, HMA does not think the mere presence of EVCS on the premise of a business converts that business or entity in to an electric utility company. Unless a business is primarily receiving its revenue from generation, transmission or distribution of electricity that business should not fall within the definitions of Title 37 or subject to the regulatory jurisdiction of the Commission. Forcing such businesses to conform to Title 37 would create a substantial barrier to the growth in the EVCS infrastructure in the state of Alabama. In theory, the EVCS could be viewed as a facility used for furnishing electricity, but the more important or fundamental issue is the status of the business. Again, if the business is not primarily in the business of generating, transmitting or distributing electricity, then the mere ownership or operation of EVCS should not subject such ownership or operation of EVCS to regulation under Title 37.

Concerning question 2, the best example of not providing electricity by use of EVCS to the public is the private use of such EVCS by a business for its operations. A business may have a fleet of electric vehicles on its premise that it can use for security, as pool vehicles or for other uses related to the business. Moreover, the employer may also extend the use of the EVCS to its employees and HMA submits that such use is not a public use under the regulatory framework contemplated by Docket 32694.

Concerning question 7, HMA submits that such jurisdiction would only extend to the extent such jurisdiction already exists for distributed generation. If the Commission does not have jurisdiction over solar arrays on the property of a general business, then the use of such solar array to power or fuel EVCS should not change the regulatory status of the solar array.

HMA greatly appreciates the opportunity to provide comments in docket 32694. The speed with which EVCS infrastructure is deployed in the state of Alabama will determine the pace of electric vehicle adoption in Alabama as well as the ability to drive even more advanced transportation technologies. HMA stands ready to work with the Commission as it contemplates its jurisdiction and the regulatory framework for such new technologies.

Respectfully submitted,

/s/ Allen Cope

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