

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
REBUTTAL TESTIMONY OF

**DANITA PARK**

ON BEHALF OF THE  
RETAIL ENERGY SUPPLY ASSOCIATION  
AND NRG ENERGY, INC.

Docket No. R-2021-3023618

UGI Utilities, Inc. – Electric Division  
2021 Base Rate Proceeding

TOPIC:

Electric Vehicle Program

May 27, 2021

**TABLE OF CONTENTS**

I. INTRODUCTION ..... 1

II. RESPONSE TO BIE’S POSITION ON UGI ELECTRIC’S PROPOSAL TO  
INSTALL AND OWN THREE EV CHARGING STATIONS ..... 3

III. RESPONSE TO CHARGEPOINT’S RECOMMENDATIONS REGARDING UGI  
ELECTRIC’S PROPOSED EV PROGRAM ..... 5

IV. CONCLUSION..... 8

**TABLE OF EXHIBITS**

Exhibit DP-6	UGI Electric Response to OSBA Set I, No. 14
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1 **I. INTRODUCTION**

2 **Q. PLEASE STATE YOUR NAME AND TITLE.**

3 A. My name is Danita Park. I am employed by NRG Energy, Inc. (“NRG”) and serve as  
4 Director, Electric Vehicle and Commercial Development.

5 **Q. HAVE YOU PREVIOUSLY PROVIDED TESTIMONY IN THIS PROCEEDING?**

6 A. Yes. On May 3, 2021, I submitted direct testimony on behalf of the Retail Energy  
7 Supply Association (“RESA”)<sup>1</sup> and NRG Energy, Inc.<sup>2</sup> marked as RESA/NRG Statement  
8 No. 2. The direct testimony was accompanied by five (5) exhibits marked as Exhibit DP-  
9 1 through DP-5.

10 **Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?**

11 A. The purpose of my rebuttal testimony is to respond to the testimony of certain parties  
12 who submitted direct testimony in this proceeding. In broad terms, my rebuttal testimony  
13 addresses issues regarding UGI Utilities, Inc. – Electric Division’s (“UGI Electric” or  
14 “Company”) proposed Electric Vehicle (“EV”) Program. First, I summarize the  
15 testimony of the parties that, similar to RESA and NRG, oppose certain aspects of the  
16 proposed EV Program. Second, I respond to the parties that expressed support for UGI  
17 Electric’s proposed EV Program: (1) the direct testimony on behalf of the Bureau of

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<sup>1</sup> The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at [www.resausa.org](http://www.resausa.org).

<sup>2</sup> NRG’s license retail supply companies include: Reliant Energy Northeast LLC d/b/a NRG Home/NRG Business A-2010-2192350; Green Mountain Energy Company A-2011-2229050; Energy Plus Holdings LLC A-2009-2139745; XOOM Energy New Jersey, LLC A-2012-2283821; Stream Energy New Jersey, LLC A-2010-2181867; Direct Energy Services, LLC A-110164; Direct Energy Business, LLC A-110025; Direct Energy Business Marketing, LLC A-2013-2368464; and Gateway Energy Services Corporation A-2009-2137275.

1 Investigation and Enforcement (“I&E”) by Ethan Cline (I&E Statement No. 1); and (2)  
2 the direct testimony on behalf of ChargePoint, Inc. (“ChargePoint”) by Matthew Deal  
3 (ChargePoint Statement No. 1).

4 **Q. ASIDE FROM RESA/NRG, DID ANY OTHER PARTY OPPOSE UGI**  
5 **ELECTRIC’S PROPOSED EV PROGRAM IN DIRECT TESTIMONY?**

6 A. Yes. The Office of Consumer Advocate (“OCA”) expressed concerns with UGI Electric’s  
7 proposed ownership of the EV charging stations because it would allow a regulated  
8 utility to enter into an unregulated competitive market. (OCA Statement No. 1 at 13).  
9 OCA recommends that UGI Electric not be allowed to own the charging stations and that  
10 proposed Rate EV-C and the proposed modifications to UGI Electric’s service line  
11 extension rules not be adopted by the Commission. (OCA Statement No. 1 at 14).

12 The Office of Small Business Advocate (“OSBA”) also opposed UGI Electric’s  
13 EV Program. OSBA Witness Knecht cited several reasons for opposing the EV Program,  
14 including that: (1) UGI Electric has done little or no due diligence regarding the potential  
15 market for public EV charging services in its territory; (2) UGI Electric’s proposal is  
16 inequitable to ratepayers who assume responsibility for all costs while revenue benefit  
17 flows to UGI; (3) UGI Electric’s proposal is anti-competitive in that it provides UGI an  
18 advantage over competitors in the development of public EV charging infrastructure; and  
19 that (4) President Biden’s proposed infrastructure plan contemplates substantial subsidies  
20 to EV charging station development. (OSBA Statement No. 1 at 25-26). While OSBA  
21 recommends that the Commission reject UGI’s EV charging proposal, it recommends  
22 that, if the Commission approves the program, EV charging stations be offered on a  
23 temporary basis during the industry development period and on a competitively neutral  
24 basis. (OSBA Statement No. 1 at 26-27).

1           The Direct Testimony of Brandi Brace expressed similar concerns about UGI  
2           Electric’s proposed EV Program. Ms. Brace indicated that UGI Electric’s proposal  
3           would give UGI Electric an advantage over potential competitors by using revenue  
4           obtained from ratepayers to deploy EV charging. (Direct Testimony of Brandi Brace at 4,  
5           22-23).

6   **Q.   DO YOU SUPPORT OCA, OSBA AND BRANDI BRACE’S POSITIONS**  
7   **REGARDING UGI ELECTRIC’S PROPOSED EV PROGRAM?**

8   A.   Yes. OCA, OSBA and Brandi Brace raise valid concerns about UGI Electric’s EV  
9           Program. I continue to support customer education efforts on EV charging as indicated  
10          in my Direct Testimony and recommend that the Commission reject UGI Electric’s  
11          request to construct and own three charging stations and invest in make-ready  
12          infrastructure. (RESA/NRG Statement No. 2 at 7).

13 **II.   RESPONSE TO BIE’S POSITION ON UGI ELECTRIC’S PROPOSAL TO**  
14 **INSTALL AND OWN THREE EV CHARGING STATIONS**

15 **Q.   WHAT IS I&E WITNESS CLINE’S POSITION REGARDING UGI ELECTRIC’S**  
16 **PROPOSED EV PROGRAM?**

17 A.   I&E Witness Cline recommends that UGI Electric’s proposal to install and own three EV  
18          charging stations in its service territory be approved. I&E Witness Cline’s testimony  
19          does not address the other components of UGI Electric’s Proposed EV Program. (I&E  
20          Statement No. 3 at 2-5).

21 **Q.   IS MR. CLINE’S RECOMMENDATION BASED, IN PART, ON OUTDATED**  
22 **INFORMATION PROVIDED BY UGI ELECTRIC?**

23 A.   Yes. I&E Witness Cline’s recommendation that the Commission approve UGI Electric’s  
24          request to construct and own three EV charging stations is based, in part, on outdated  
25          information provided in the Direct Testimony of UGI Electric Witness Sorber (UGI  
26          Electric Statement No. 3).

1 **Q. PLEASE EXPLAIN.**

2 A. In explaining why UGI Electric proposed to install and own three EV charging stations,  
3 I&E Witness Cline cited the claim in UGI Electric Witness Sorber’s testimony that there  
4 are no publicly-available EV charging stations in its service territory. (UGI Electric  
5 Statement No. 3 at 29; I&E Statement No. 3 at 3). As indicated in my direct testimony,  
6 there are at least twelve level 2 charging stations within UGI Electric’s service territory,  
7 as well as a DC Fast Charge charging station on the edge of the service territory.  
8 (RESA/NRG Statement No. 2 at 18).

9 **Q. DO YOU AGREE WITH MR. CLINE’S RECOMMENDATION THAT THE**  
10 **COMMISSION APPROVE UGI ELECTRIC’S PROPOSAL TO INSTALL AND**  
11 **OWN THREE EV CHARGING STATIONS IN ITS SERVICE TERRITORY?**

12 A. No. As expressed in my direct testimony, I recommend that the Commission reject UGI  
13 Electric’s request to construct and own three EV charging stations as there is no need for  
14 utility intervention in the EV charging competitive market. (RESA/NRG Statement No.  
15 2 at 5-6).

16 **Q. DOES I&E WITNESS CLINE HAVE ANY RECOMMENDATIONS**  
17 **REGARDING UGI ELECTRIC’S PROPOSAL TO INSTALL AND OWN THREE**  
18 **EV CHARGING STATIONS?**

19 A. Yes. I&E Witness Cline proposes that starting one year after the first EV charging station  
20 is deployed and on an annual basis thereafter, UGI Electric provide an update on the  
21 status of the program, the corresponding plant, operating expenses, revenue and the  
22 progress that has been made toward meeting its goals. Additionally, I&E recommends  
23 that UGI Electric “provide a detailed discussion regarding its choice to either end,  
24 continue as is, or expand its EV charging station operations.” (I&E Statement No. 3 at  
25 5).

1 **Q. DO YOU HAVE ANY CONCERNS REGARDING I&E WITNESS CLINE’S**  
2 **RECOMMENDATIONS?**

3 A. Yes. I&E’s proposed reporting requirements appear to provide UGI Electric the option to  
4 end, continue or expand its EV charging station operations outside the context of a base  
5 rate case or other Commission proceeding. As explained in my Direct Testimony, I have  
6 significant concerns about UGI Electric utilizing ratepayer funds to install and own EV  
7 charging stations given that UGI has failed to demonstrate a need for such ratepayer  
8 investment.

9 I am also concerned that BI&E’s proposed reporting requirements do not address  
10 charging station metrics, analytics, and usage data. If UGI Electric is permitted to  
11 proceed with its proposed program, which I advise against, it should be required to  
12 establish the form and frequency of data related to EV charging station utilization,  
13 charging station metrics and analytics that it will provide to third parties so that UGI  
14 Electric does not have an unfair advantage in offering electric EV products and  
15 installations.

16 **III. RESPONSE TO CHARGEPOINT’S RECOMMENDATIONS REGARDING UGI**  
17 **ELECTRIC’S PROPOSED EV PROGRAM**

18 **Q. PLEASE DESCRIBE CHARGEPOINT’S RELATIONSHIP WITH UGI**  
19 **ELECTRIC AS IT PERTAINS TO UGI ELECTRIC’S PROPOSAL TO INSTALL**  
20 **AND OWN THREE EV CHARGING STATIONS.**

21 A. UGI Electric intends to partner with ChargePoint and proposes to install ChargePoint  
22 equipment and utilize ChargePoint’s network services. (see RESA/NRG Exhibit DP-2,  
23 UGI Electric Response to OSBA Set I, No. 21 and RESA/NRG Exhibit DP-6, UGI

1 Electric Response to OSBA Set I, No. 14).<sup>3</sup> ChargePoint will presumably benefit  
2 financially if UGI Electric’s proposed EV Program is approved in this proceeding.

3 **Q. WHAT IS CHARGEPOINT’S POSITION REGARDING UGI ELECTRIC’S**  
4 **PROPOSAL TO OWN AND OPERATE EV CHARGERS AT THREE SITES IN**  
5 **ITS SERVICE TERRITORY?**

6 A. As a financial beneficiary of UGI’s proposed program, ChargePoint supports UGI  
7 Electric’s proposal to install and own EV chargers at three sites in its service territory.  
8 ChargePoint argues that the program makes sense so long as the following parameters are  
9 in place: (1) UGI Electric provides site hosts the ability to choose the EV charging  
10 equipment and network service provider to be deployed on their property from a list of  
11 vendors previously qualified by the utility; and (2) UGI Electric allow site hosts to  
12 establish the prices and pricing policies for EV charging services provided at the utility-  
13 owned chargers. ChargePoint also recommends that “site hosts be the utility customer-  
14 of-record and be responsible for paying the regular bills associated with the electricity  
15 used for charging services through standard tariffs.” (ChargePoint Statement No. 1 at 8-  
16 10).

17 **Q. DO YOU SUPPORT CHARGEPOINT’S RECOMMENDATIONS?**

18 A. I do not. While I agree with ChargePoint’s assertion that utility participation in the EV  
19 Charging market can harm competitive market forces – I do not support UGI Electric’s  
20 proposal to own and operate EV charges at three sites. (ChargePoint Statement No. 1 at  
21 8). ChargePoint has been identified by UGI Electric as the provider of both EV charging  
22 equipment and network services for these three sites. (see RESA/NRG Exhibit DP-2,  
23 UGI Electric Response to OSBA Set I, No. 21, and RESA/NRG Exhibit DP-6, UGI

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<sup>3</sup> UGI Electric is currently installing two ChargePoint Level 2 chargers at the Company’s Wilkes-Barre office to provide charging for UGI Electric’s two all-electric vehicles. RESA/NRG Exhibit DP-6.



1 Electric Response to OSBA Set I, No. 14). In addition, ChargePoint has been working  
2 with UGI Electric to evaluate EV charging station pricing criteria and factors that may  
3 vary with time of use. (see RESA/NRG Exhibit DP-3, UGI Electric Response to RESA  
4 and NRG Set I, No. 12). ChargePoint's suggestion that site hosts should have the ability  
5 to choose the EV charging equipment and network service provider to be deployed on  
6 their property and establish the prices for EV charging services for EV charging services  
7 provided at the utility-owned chargers seems at odds with its arrangements with UGI  
8 Electric, and does little to assuage my concerns.

9 In addition, ChargePoint's recommendations assume that the electricity supplied  
10 to these EV chargers would be provided by UGI Electric under tariffed rates, rather than  
11 by competitive electric generation suppliers, who are adept at offering pricing plans  
12 specifically geared toward EV charging. UGI Electric's role in the electricity supply  
13 market is that of default supplier only. Customers must be free to choose the electric  
14 generation supplier supplying electricity to any EV charging stations deployed on their  
15 property.

16 **Q. DOES CHARGEPOINT RECOMMEND ANY MODIFICATIONS TO UGI**  
17 **ELECTRIC'S MAKE-READY PROPOSAL?**

18 A. Yes. ChargePoint recommends that UGI Electric's make-ready proposal be modified to  
19 require: (1) any EV chargers installed through the program be networked; (2) all Level 2  
20 charging equipment be ENERGY STAR certified; and (3) charging equipment be  
21 certified by a third-party Nationally Recognized Testing Laboratory for safety.

1 **Q. IF THE COMMISSION DECIDES TO ALLOW UGI ELECTRIC TO INVEST IN,**  
2 **OWN AND MAINTAIN MAKE-READY INFRASTRUCTURE, ARE YOU**  
3 **OPPOSED TO THE AFOREMENTIONED MODIFICATIONS PROPOSED BY**  
4 **CHARGEPOINT?**

5 A. As I have previously stated, I oppose UGI Electric’s make-ready proposal. If the  
6 Commission decides to approve UGI Electric’s make-ready program, I do not oppose the  
7 modifications proposed by ChargePoint, with the exception that any EV chargers  
8 installed through the program be networked *only if* the data is made available to all third  
9 parties to ensure a fair and level playing field.

10 **IV. CONCLUSION**

11 **Q. DOES THAT COMPLETE YOUR REBUTTAL TESTIMONY?**

12 A. Yes.

**VERIFICATION**

I, Danita Park, hereby state that: (1) I am the Director, Electric Vehicle and Commercial Development for NRG Energy, Inc.; (2) that I am authorized to submit this testimony on behalf of the Retail Energy Supply Association and NRG Energy, Inc.; (3) the facts set forth in this testimony are true and correct (or are true and correct to the best of my knowledge, information and belief); and (4) that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: May 27, 2021

*Danita Park*

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Danita Park  
Director, Electric Vehicle and  
Commercial Development  
NRG Energy, Inc.

## **Exhibit DP-6**

UGI Utilities, Inc. - Electric Division  
Docket No. R-2021-3023618  
UGI Electric 2021 Base Rate Case  
Responses to OSBA Set I (1 thru 26)  
Delivered on April 5, 2021

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OSBA-I-14

Request:

Reference UGI Electric Statement No. 3, pages 29-31, EV charging stations:

- a. Please identify the number of EVs registered in UGI Electric's service territory.
- b. Please provide the Company's estimate of the expected load, revenues, and operating costs for the EV charging stations.
- c. Please describe all efforts made by UGI Electric to work with third party charging station entities (e.g., ChargePoint, Electrify America) to understand their needs and interests in developing charging stations in the UGI Electric service territory.

Response:

- a. As of September 30, 2020, 260 electric vehicles were registered in Luzerne County, PA and 23 electric vehicles were registered in Wyoming County (vehicle statistics provided by ChargePoint). UGI Electric provides electric distribution service to a significant portion of Luzerne County and a small portion of Wyoming County.
- b. The Company does not have an estimate of the load (utilization) or revenues for the proposed EV charging stations at this time but is working with ChargePoint as the largest and most open network operator in the world to understand how such initial estimates may be developed. Operating costs are provided in response to I&E-RE-55-D(C).
- c. As noted above, UGI Electric is working with ChargePoint as the largest and most open network operator in the world to facilitate the Company's EV charging station proposal. Per ChargePoint, there are no current, pending or proposed public DC Fast Charge stations which will be ChargePoint networked stations within the Company's service territory other than those proposed by the Company at this time. Currently, the Company is installing two ChargePoint Level 2 charges at the Company's Wilkes-Barre office to provide charging for UGI Electric's first two all-electric vehicles.