



Informal Comments

To: Eric Schlaf, Illinois Commerce Commission

Re: ICC Docket 12-0212, Informal Comments for August 27, 2012 Workshop

This memorandum is submitted on behalf of members of Associated Builders and Contractors, Illinois Chapter (ABCIL) with respect to the rulemaking for ICC Docket 12-0212 (Electric Vehicle Charging Station Installer Certification). We understand a telephone conference will take place on August 27, 2012 at 1:30 p.m. and we plan to participate in that conference. We are submitting a couple of general comments on behalf of ABCIL to be considered and discussed during the August 27th telephone conference.

The primary concern with the draft rule dated August 17, 2012 is the mandate that installers complete a DOL approved apprenticeship program. The certification requirement should not be exclusively through a DOL approved apprenticeship program for a number of reasons. As a starting point, a state law or regulation that mandates participation in a federal apprenticeship program is likely preempted by the Employee Retirement Income Security Act (ERISA). Furthermore, the work involved with installing electric vehicle charging stations can be safely and effectively performed by those that have attained journey worker status through on-the-job experience or by those that have received training and/or certification through programs separate and apart from DOL apprenticeship programs. For example, the charger manufacturers offer certified installer training that would provide a better form of training for this specific type of work as compared with a general DOL apprenticeship program. In addition, there are other training programs, such as the National Center for Construction Education and Research (NCCER) that can provide the necessary training and/or certification. These other forms of training and/or certification need to be included in the rule as the type of certification that would constitute compliance.

We also have concerns about the proposed fee structure. The \$6,000.00 application fee and \$500.00 annual renewal fee are high and will limit competition from smaller firms that would otherwise be more than capable of performing this work. We believe an alternative pay structure should be considered in light of these concerns.

Thank you in advance for considering these comments. Again, this is a simple summary of comments on behalf of ABCIL members. We look forward to further discussion on these issues, as well as other relevant topics, during future proceedings.