



DEPARTMENT OF LAW
CITY OF CHICAGO

INFORMAL COMMENTS OF THE CITY OF CHICAGO

To: John Sagone, Illinois Commerce Commission Staff
From: Graham G. McCahan, City of Chicago Department of Law
Re: ICC Rulemaking Docket 12-0212
Date: June 8, 2012

Thank you for soliciting informal input from the parties regarding the 12-0212 EV Charging Station Installer Certification rulemaking. The City of Chicago shares the belief of the Environmental Law & Policy Center, Citizens Utility Board, the People of the State of Illinois (AG), and the Illinois Energy Office (DCEO) that the Commission should seek to adopt or incorporate certification requirements that meet the requirements of the law without erecting unnecessary barriers that could hinder economic development or stifle the electric vehicle industry in Illinois. The City submits the following informal comments in order to provide some general background and context on how an EV Charging Station Installer Certification rule might interact with: (a) the City's licensing and registration requirements for electrical contractors; and (b) the City's electrical code. The City submits the following informal comments for informational purposes only and reserves the right to modify, in this or any other proceeding, the statements or positions set forth below.

- 1) The City's Department of Buildings is charged with enforcing the electrical provisions contained in Chapter 13-12 and the electrical code contained in Chapter 18-27 of the Municipal Code of Chicago ("Municipal Code"). The City believes that, within the City of Chicago, a properly licensed and registered electrical contractor, which performs work in compliance with the Municipal Code and obtains the proper City permit, will have the requisite knowledge, skills, training, experience, and competence to install, maintain, and repair electric vehicle charging stations in a safe and reliable manner.
- 2) Because the Municipal Code requires that a properly licensed and registered electrical contractor install an electric vehicle charging station pursuant to a City-issued permit, the City would not allow "self-installation" of electric vehicle charging stations unless such "self-installation" was performed by a properly licensed and registered electrical contractor pursuant to a City permit (i.e., a licensed and registered electrical contractor could install a charging station at his/her home pursuant to a permit). This does not mean, however, that the City currently takes a position on whether to exempt certain classes of electric vehicle charging station installation from any additional certification or notification requirements that may be imposed by the Illinois Commerce Commission ("ICC").

- 3) The Municipal Code requires that electrical equipment, appliances, and devices, including electric vehicle charging stations, be tested and labeled by a nationally-recognized testing laboratory (“NRTL”). The Municipal Code requires that a NRTL be recognized by the United States Occupational Safety and Health Administration (“OSHA”) for the NRTL to be approved by the City. If the ICC recognized the testing and labeling of electrical vehicle charging stations by laboratories that were not recognized by OSHA, then such equipment would not comply with the Municipal Code.

Thank you again for offering the parties an opportunity to provide informal feedback concerning this important rulemaking. The City looks forward to working with the Commission Staff and other parties as this proceeding moves forward.