

Draft – For Discussion Purposes Only  
City of Chicago Comments & Suggested Revisions – in redline  
Draft Rule  
Electric Vehicle Charging Station Installer Rulemaking  
Docket No. 12-0212  
June 27, 2012

Section xx.x	Purpose.....	2
Section xx.x	Definitions .....	2
Section xx.x	Applicability.....	3
Section xx.x	Required Application Filings and Procedures for Certification.....	4
Section xx.x	General Certification Requirements .....	5
Section xx.x	Technical Certification Requirements.....	6
Section xx.x	Financial Certification Requirements.....	7
Section xx.x	Commission Oversight .....	8
Section xx.x	Effective Date .....	8

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER \_\_: \_\_\_\_\_  
PART \_\_\_\_  
CERTIFICATION REQUIREMENTS FOR VENDORS **(PERSONS OR ENTITIES)** THAT INSTALL  
(MAINTAIN, OR REPAIR) ELECTRIC VEHICLE CHARGING STATIONS

**Comment [A1]:** The City of Chicago shares ELPC's belief that the vast majority of the requirements set out in the statute should apply to the company or business that does the installation, maintenance and repair, not each individual performing the work.

**Section xx.x Purpose**

The purpose of this Part is to establish requirements for vendors (*persons or entities*) that install (*maintain, or repair*) electric vehicle charging stations in accordance with the requirements of Section 16-128A (*and subsection (a) of Section 16-128*) of the Illinois Public Utilities Act [220 ILCS 5/16-128A and 220 ILCS 5/16-128(a)].

**Section xx.x Definitions**

Terms defined in Section 16-128A (*and subsection (a) of Section 16-128*) of the Illinois Public Utilities Act [220 ILCS 5/16-128A and 220 ILCS 5/16-128(a)] shall have the same meaning for purposes of this Part as they have under Section 16-128A (*and subsection (a) of Section 16-128*) of the Illinois Public Utilities Act, unless further defined in this Part.

“Act” means the Illinois Public Utilities Act [220 ILCS 5].

“Applicant” means a vendor (*person or entity*) that files an application with the Illinois Commerce Commission requesting certification pursuant to Section 16-128A to install (*maintain, or repair*) electric vehicle charging stations.

“Commission” means the Illinois Commerce Commission.

“Electric vehicle” means (i) a battery-powered electric vehicle operated solely by electricity or (ii) a plug-in hybrid electric vehicle that operates on electricity and gasoline and has a battery that can be recharged from an external source.

“Electric vehicle charging station” means any facility or equipment that is used to charge a battery or other energy storage device of an electric vehicle. For the purposes of this Part, an electric vehicle charging station shall constitute a distribution facility or equipment as that term is used in *subsection (a) of Section 16-128 of the Act*.

“Install” means the activities and actions required to connect, in accordance with applicable building and electrical codes, the conductors, the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses mounted specifically for the purpose of delivering energy from the premises wiring to the electric

vehicle charging station. Plugging a charging station cord into an electrical outlet does not constitute installing an electric vehicle charging station.

**“Fast charge electric vehicle charging stations” means electric vehicle charging stations powered by Direct Current or by voltage greater than 240 Volts Alternating Current.**

*“Maintain” means the activities and actions required to keep in an appropriate condition, operation, or force the conductors, the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses mounted specifically for the purpose of delivering energy from the premises wiring to the electric vehicle charging station.*

*“Repair” means the activities and actions required to restore to a good or sound condition the conductors, the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses mounted specifically for the purpose of delivering energy from the premises wiring to the electric vehicle charging station.*

*“Retail customer” means a single entity using electric power or energy at a single premises and that (A) either (i) is receiving or is eligible to receive tariffed services from an electric utility, or (ii) that is served by a municipal system or electric cooperative within any area in which the municipal system or electric cooperative is or would be entitled to provide service under the law in effect immediately prior to June 30, 2006, or (B) an entity which on June 30, 2006 was receiving electric service from a public utility and (i) was engaged in the practice of resale and redistribution of such electricity within a building prior to January 2, 1957, or (ii) was providing lighting services to tenants in a multi-occupancy building, but only to the extent such resale, redistribution or lighting service is authorized by the electric utility's tariffs that were on file with the Commission on the effective date of this Act. For purposes of this Part, a retail customer includes that retail customer's employees, officers, and agents.*

*“Self-installer” means an individual who (i) leases or purchases an electric vehicle charging station for his or her own personal use and (ii) installs an electric vehicle charging station on his or her own premises without the assistance of any other person.*

*“Standard electric vehicle charging stations” means all electric vehicle charging stations that are not classified as fast charge electric vehicle charging stations under this Part.*

## **Section xx.x Applicability**

This Part sets forth minimum requirements that shall apply to all vendors [*persons or entities*] that install (*maintain, or repair*) electric vehicle charging stations in the State of Illinois. For purposes of this Part, a self-installer of an electric vehicle charging station is not required to be certified by the Commission. With the exception of a self-installer, all vendors [*persons or*

entities] that install (*maintain, or repair*) electric vehicle charging stations in the State of Illinois shall be certified by the Commission under this Part prior to installing, maintaining, or repairing electric vehicle charging stations.

**Section xx.x Required Application Filings and Procedures for Certification**

- a) All applications for certification under this Part shall be verified as required by Section 200.130 of the Commission's "Rules of Practice" (83 Ill. Adm. Code 200.130).
- b) The applicant shall provide the following:
  - 1) Applicant's Name (including d/b/a, if any). If the applicant is a business registered with the Illinois Secretary of State's Office, then the applicant should provide the business name as that name appears on its Illinois Secretary of State Office registration. It should provide assumed business names if and only if registered with the Illinois Secretary of State's Office.
  - 2) Applicant's Address.
  - 3) A description of how the applicant is organized, including whether the applicant is an individual, Partnership, Corporation. If the applicant is not organized as an individual, Partnership, Corporation, then the applicant should describe how it is organized. If the applicant is a Corporation, the applicant should include the date and state of incorporation and attach a copy of articles of incorporation. An applicant that is a business that is not incorporated in Illinois should submit a copy of its Certificate of Authority to Transact Business in Illinois as issued by the Illinois Secretary of State.
  - 4) Applicant's Federal Employer Identification Number (FEIN) if the applicant has a FEIN.
  - 5) Contact Information including name(s), address(es), telephone number(s), and e-mail address(es), for personnel or entities responsible for issues related to processing the application.
  - 6) Contact Information including name(s), address(es), telephone number(s), and e-mail address(es), for the applicant's designated agent. Applicants must have an Illinois In-State Designated Agent listed. An additional Out-of-State Designate Agent is permitted, but not required. An applicant shall state whether it agrees to accept service by electronic means as provided for in Section 200.1050 of the Commission's "Rules of Practice" (83 Ill. Adm. Code 200.1050).

- c) Itemized filing requirements for the application for certification under this Part.
- 1) At the time a vendor (*person or entity*) files an application for certification under this Part, the applicant shall also file a statement certifying that the applicant meets and will continue to meet the requirements of Section 16-128A of the Act, *subsection (a) of Section 16-128 of the Act*, and this Part.
  - 2) The applicant shall file documentation demonstrating that it is licensed and bonded to do business in the State of Illinois. [220 ILCS 5/16-128A(d)(2)].
  - 3) The applicant shall submit documentation that identifies the courses, programs or training that the applicant does and will rely on to comply with the technical requirements of this Part. The applicant shall indicate whether the program is accredited and by whom. If the program is not accredited, the applicant shall provide a description of the program and a summary as to why the applicant believes the program complies with the requirements of this Part. If the applicant adds additional programs, courses, or training in the future that the applicant does and will rely on to comply with the technical requirements of this Part, then the applicant shall submit to the Commission updated information reflecting the additional courses, programs, or training.
  - 3) At the time a vendor (*person or entity*) files an application for certification to install, (*maintain, or repair*) electric vehicle charging stations under this Part, the applicant shall submit to the Commission an application fee for certification. The application fee for certification under this Part shall be \$xxxx. The fee shall be paid by certified check, cashier's check or money order made payable to "Illinois Commerce Commission/EV". The certification fee is non-refundable.
- d) Contents of documents filed by applicants shall be consistent with Subpart B of the Commission's "Rules of Practice" (83 Ill. Adm. Code 200).

**Section xx.x General Certification Requirements**

- a) All vendors (*persons or entities*) certified pursuant to this Part, its employees, its agents, its subcontractors, or any persons acting for or on behalf of the applicant shall:

- 1) Comply with all applicable laws and regulations and Commission rules and orders including, but not limited to, the requirements of Section 16-128A of the Act, *subsection (a) of Section 16-128 of the Act*, and this Part.
- 2) Comply with applicable building and electrical codes. *[220 ILCS 5/16-128A(d)(5)]*.
- 3) Submit notifications to the servicing electric utility in accordance with the requirements specified in applicable tariffs of the servicing electric utility, Section 16-128A of the Act, and this Part. The applicant shall submit notifications to the servicing electric utility of plans to install an electric vehicle charging station, and within thirty days of the date that the installation is complete, a notification that the charging station has been installed. The applicant shall, when submitting such notices to the servicing electric utility, include the date of intended installation, the actual completion date of the installation, the identity of the installer, the Commission issued certificate number, the technical specifications of the charging station(s), an identification/nomenclature system for each charging station(s), the location of each charging station(s), and the name, address, contact information, and electric utility account number for the retail customer on whose behalf the electric vehicle charging station is being installed.
- 4) Prior to taking any actions to install, *(maintain, or repair)* electric vehicle charging stations, have the requisite knowledge, skills, training, experience, financial, and competency requirements, as set forth in this Part, to perform those functions in a safe and reliable manner as required under Section 16-128A of the Act *and Section 16-128(a) of the Act*.

#### Section xx.x Technical Certification Requirements

- a) ~~A person with an electrician's license in at least one municipality in Illinois~~A vendor, entity or person shall be deemed to possess the requisite knowledge, skills, training, experience, and competency requirements to perform functions to install *(maintain, or repair)* standard electric vehicle charging stations in a safe and reliable manner as required under *subsection (a) of Section 16-128 of the Act* if ~~that individual every installation performed pursuant to this Part by that~~vendor, entity or person is supervised or performed by an individual who is a licensed supervising electrician in at least one municipality in Illinois and who meets any of the following criteria:
  - 1) Completion or current participation and ultimate completion by the individual of a state or federally approved electrical apprenticeship

program with a minimum of ~~xxx~~ hours of on job training and a minimum of ~~xxx~~ hours of related classroom and laboratory instruction;

- 2) Completion by the person of an accredited or otherwise recognized apprenticeship program for the particular craft, trade or skill involved in performing functions to install, *(maintain, or repair)* standard electric vehicle charging stations, including but not limited to, the Electric Vehicle Infrastructure Training Program; ~~or,~~
- 3) ~~xxx~~-2 years of employment performing a particular work function that is comparable to performing functions to install, *(maintain, or repair)* standard electric vehicle charging stations.

b) ~~A vendor, entity or person. A person with an electrician's license in at least one municipality in Illinois~~ shall be deemed to possess the requisite knowledge, skills, training, experience, and competency requirements to perform functions to install *(maintain, or repair)* fast charge electric vehicle charging stations in a safe and reliable manner as required under *subsection (a) of Section 16-128 of the Act* if ~~every installation performed pursuant to this Part by that vendor, entity or person is supervised or performed by an individual who is a licensed supervising electrician in at least one municipality in Illinois and who that individual~~ meets any of the following criteria:

- 1) Completion or current participation and ultimate completion by the individual of a state or federally approved electrical apprenticeship program with a minimum of ~~xxx~~ hours of on job training and a minimum of ~~xxx~~ hours of related classroom and laboratory instruction;
- 2) Completion by the person of an accredited or otherwise recognized apprenticeship program for the particular craft, trade or skill involved in performing functions to install, *(maintain, or repair)* fast charge electric vehicle charging stations, including but not limited to, the Electric Vehicle Infrastructure Training Program; ~~or,~~
- 3) ~~xxx~~-2 years of employment performing a particular work function that is comparable to performing functions to install, *(maintain, or repair)* fast charge electric vehicle charging stations.

#### Section xx.x Financial Certification Requirements

a) An individual shall be deemed to possess the requisite financial requirements for compliance under this Part to install *(maintain, or repair)* standard electric

**Comment [A2]:** The Municipal Code of Chicago does not impose an insurance requirement for electrical installations within Chicago and the City questions the necessity for such a requirement.

vehicle charging stations if the individual obtains a certificate of insurance in the amount of xxx.

- b) An individual shall be deemed to possess the requisite financial requirements for compliance under this Part to install (*maintain, or repair*) fast charge electric vehicle charging stations if the individual obtains a certificate of insurance in the amount of xxx and names the servicing electric utility as an additional insured.

**Section xx.x Commission Oversight**

- a) Upon complaint or on the Commission's own motion, the Commission may conduct an investigation of a certificate holder under any Section of this Part.
- b) For a first violation, the Commission may, in its discretion, after notice and hearing, suspend the certificate of the certificate holder so disciplined for a period of no less than one month. In determining whether to suspend the certificate of the certificate holder and the length of any suspension to be imposed, the Commission shall consider whether the violation was deliberate or inadvertent and the harm or potential for harm to customers. For a second violation within a 5-year period, the Commission shall suspend the certificate of the disciplined certificate holder for a period of not less than 6 months. For a third or subsequent violation within a 5-year period, the Commission shall suspend the certification of the disciplined certificate holder for a period of not less than 2 years. A vendor whose certificate is suspended may reapply to the Commission for certification.
- c) Penalties collected for noncompliance with this Part shall be \$xxxx.

**Section xx.x Effective Date**

The initial date for compliance with the rules is xxx.