

Electric Vehicle Charging Station Installer Rulemaking

Docket No. 12-0212

August 21, 2012

Comments from the Illinois Chamber of Commerce and ABC Illinois

The Illinois Chamber of Commerce and ABC Illinois respectfully submit the following comments to the Illinois Commerce Commission (ICC) as part of its rulemaking process for Docket No. 12-0212. These comments are pertinent to the August 21 draft. We have decided to offer our comments in narrative form instead of line-by-line edits as we believe it provides a better format for future discussion.

Thank you for the opportunity to participate in this important rulemaking process and we look forward to your comments.

There are four sections of the rulemaking draft on which we would like to focus our comments:

- Application Procedures;
- Required Application Information;
- Annual Recertification and Reporting; and
- Certification Requirements.

Application Procedures

Reaction/Issues

As the Illinois Commerce Commission (ICC) staff heard on the August 27th workshop conference call, there are several big picture concerns with the proposed procedures in the latest rulemaking draft. Overall, we believe it sets up an onerous process that creates a barrier to entry into the marketplace in the following ways:

- Process: Asking licensed electrical contractors that are currently doing electrical jobs of all sizes in Illinois undergo a certification process that was set up for new retail electricity suppliers that aren't currently doing business in the state.
- Complexity: Requiring ALJ review and Commission approval on applications that should not be complicated nor need that high-level review.
- Cost: Asking applicants to spend \$3,000 to apply for certification and \$500 each year after that.
- Time: Waiting 90-180 days for certification of an applicant.

During the phone call, staff asked for information pertaining to the average cost of installing charging stations. Some quick, anecdotal research revealed that Level 2 charging station installation jobs can range from \$750 to \$6400 with the average about \$2800. To be clear, that's the cost of the job to the customer, not the profit margin of the contractor. As you can see these are relatively small electrical jobs and \$3,000 application fees and \$500 annual fees to simply have the opportunity to do the work would be cost prohibitive. Particularly at this time when the market for EVs is still small and relatively few charging station installations occur, contractors will have more difficulty justifying the \$3,000 investment to obtain certification. This may result in parts of Illinois outside Chicago and the suburbs having no certified contractors for charging station installations.

Possible Solution

We believe the ICC has another process that could be more appropriate for the goals everyone is trying to achieve: the authorization of cable service or video service providers (220 ILCS 5/21-401).. It's a process that allows private companies to submit pertinent information for quick review in a way that protects consumers and provides for a competitive marketplace.

Required Application Information

Reaction/Issues

We don't see the need for applicants to submit employee-specific information. Licensed electrical contractors are currently responsible for their employees at jobs (big and small) throughout the state – certifying that they have the appropriate training for the work at hand. We don't know of any municipality in the state that requires electrical contractors to submit employee names/information as part of the its licensing process.

Possible Solution

The electrical contractor should submit a notarized application affirming that its employees have met the qualifications set forward by the state (just as they currently do with municipalities in Illinois when applying for an electrical contractors license).

Annual Recertification and Reporting

Reaction/Issues

It seems onerous and unnecessary to have applicants provide the ICC with information on the amount and type of work performed during the past year. There is no requirement for this information in legislation and, though no customer information is asked for, it borders on revealing proprietary information with no discernible benefit.

Possible Solution

We suggest deleting the following draft requirement:

The number of electric vehicle charging stations, classified by customer class and charging capacity, that the certificate holder installed, maintained, and repaired during the prior calendar year.

Certification Requirements

Reaction/Issues

We all want charging stations to be installed safely by qualified electricians. That being said, we believe the qualification level proposed in the latest draft would preclude a vast majority of contractors and employees from being able to install relatively simple equipment. When asked to put the level of complexity of vehicle charging stations into perspective, one contractor who has installed many such charging stations said:

“The level 1 chargers are simply 110-volt plug-in. Level 2 charging stations are 240-volt -- similar to a residential clothes dryer or residential air conditioner. Level 3 are 240/480-volt 3-phase similar to a typical industrial electrical forklift charger, also simple installations. A multiple charger installation would follow normal electrical code rules we would use on similar applications. For example, we have a client with a large factory full of battery powered electrical forklifts, and they have a bank of 15 chargers along with an electrical load management system to optimize the power usage. It sounds really complicated but it is pretty basic in the electrical world, the vehicle chargers are not much different.”

We believe in having the right workers with the appropriate experience doing the work. However, we believe requiring “DOL certification of satisfactory completion of a registered electrician apprenticeship program” is not an appropriate qualification benchmark for this kind of electrical work.

Possible Solution

Before we describe a possible solution, we wanted to point out the reasoning behind it. The section of the recently signed law that deals with charging station installations reads as follows:

(20 ILCS 627/25 new) Sec.25.Charging station installations. The installation, maintenance, and repair of an electric vehicle charging station shall comply with the requirements of subsection (a) of Section 16-128 and Section 16-128A of the Public Utilities Act.

We looked back at the Public Utilities Act and found the reference to the stated requirements in Sec 16-128:

*An adequate demonstration of requisite knowledge, skill, training, experience, and competence shall include, at a minimum, completion or current participation and ultimate completion by the employee of an accredited or otherwise recognized apprenticeship program for the particular craft, trade or skill, **or** (emphasis added) specified and several years of employment performing a particular work function that is utilized by an electric utility.*

Since the law does not require or mandate U.S. DOL apprenticeship programs and because the law specifically allows for other qualifications as alternatives to apprenticeship programs, we recommend the following:

- Require level 2 and level 3 charging stations to be installed by a electrical contractor that has a license from an Illinois municipality and whose employees have (at a minimum) passed the Underwriters Laboratories (UL) electrical vehicle charging station installation certification program.

There are two reference points that we'd like to add to this solution.

- 1) By requiring that the work is done by an electrical contractor that has a license from an Illinois municipality, you are ensuring that the work is being done by professionals because municipalities across the state make electricians take tests and require at least two years (sometimes more) of experience doing electrical work. Many municipalities have reciprocal agreements so contractors and employees are allowed to work in several cities if they are licensed in one.

As an example, if an electrician passes the Chicago exam and receives his/her Chicago supervising electricians license he/she can wire level 1,2 & 3 electrical vehicle chargers, dryer outlets in homes, Soldier Field, The Trump building, houses, apartment buildings, condos, restaurants, retails stores, hospitals, factories, or any other electrical project in the entire city of Chicago without a DOL approved apprenticeship.

- 2) By requiring the UL certification process on top of the license, we are trying to ensure the electricians are trained to install charging stations, specifically. UL offers such programs currently and UL is recognized as the gold standard of electrical safety in the U.S. Their program covers Level 2 and 3 charging stations, and reviews the important sections of the National Electrical Code as they apply to the charger installations.

We believe these two major requirements would provide the ICC staff with recognized, third-party verification of the contractor's and the electrician's qualifications.

Conclusion

We appreciate further comments on these ideas. We realize many ideas will have to be fleshed out in future meetings to become appropriate rule-making language. We look forward to working with ICC staff and other participants to make this a workable process that provides competitive and safe environment for this growing market in Illinois.

Tom Wolf
Executive Director, Energy Council
Illinois Chamber of Commerce
300 S. Wacker Drive, Suite 1600
Chicago, IL 60606
312-983-7109

Alicia Martin
President
Associate Builders & Contractors, Inc. - Illinois
526 E. Allen
Springfield, IL 62703
217-523-4692

#