
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1446 Session of
2017

INTRODUCED BY M. QUINN, TAYLOR, BRIGGS, V. BROWN, HARPER,
HENNESSEY, W. KELLER, KIM, KORTZ, MARSICO, MATZIE, NEILSON,
SOLOMON AND WATSON, JUNE 6, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 6, 2017

AN ACT

1 Amending Titles 66 (Public Utilities) and 74 (Transportation) of
2 the Pennsylvania Consolidated Statutes, in restructuring of
3 electric utility industry, providing for transportation
4 fueling infrastructure development; and, in turnpike, further
5 providing for definitions and providing for Statewide
6 electric vehicle charging and natural gas fueling networks.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Title 66 of the Pennsylvania Consolidated
10 Statutes is amended by adding a section to read:

11 § 2816. Transportation fueling infrastructure development.

12 (a) Transportation electrification opportunity assessment.--

13 (1) Within 180 days of the effective date of this
14 section, the Governor or his designee shall establish a
15 Statewide goal for the expansion of transportation
16 electrification in this Commonwealth based upon a Statewide
17 transportation electrification opportunity assessment. The
18 goal shall be no less than a 50% expansion of annual
19 transportation electrification usage above current market

1 forecasts for December 31, 2030, as of the effective date of
2 this section.

3 (2) The Governor or his designee may also establish
4 regional goals for each group of priority alternative
5 transportation infrastructure counties that are served, in
6 whole or in part, by an electric distribution company.

7 (b) Transportation electrification infrastructure regional
8 framework.--

9 (1) An electric distribution company serving one or more
10 priority alternative transportation infrastructure counties
11 shall contract with a qualifying independent transportation
12 analyst to develop a transportation electrification
13 infrastructure regional framework for those counties.

14 (2) The regional framework development process shall
15 include representatives from the Department of
16 Transportation, the Department of Environmental Protection,
17 county and municipal governments of the priority alternative
18 transportation infrastructure counties served by the electric
19 distribution company, public transit organizations and the
20 electric distribution company. Electric distribution
21 companies may include owners of vehicle fleets, experts in
22 transportation electrification charging infrastructure,
23 manufacturers of transportation electrification equipment and
24 other participants and stakeholders in the transportation
25 electrification market in the regional framework development
26 process.

27 (3) If multiple electric distribution companies serve a
28 single priority alternative transportation infrastructure
29 county, the electric distribution companies may elect to
30 collaborate on the selection of a qualifying independent

1 transportation analyst for the county and allocate framework-
2 related costs proportionally based upon the number of
3 customers served in the county or by another mutually
4 agreeable method.

5 (4) A regional framework shall provide the following
6 information for the priority alternative transportation
7 infrastructure counties served by the electric distribution
8 company:

9 (i) The extent of plug-in electric vehicle
10 ownership, leasing and usage as well as projected
11 ownership, leasing and usage through December 31, 2030,
12 or 15 years after the effective date of this section,
13 whichever is later.

14 (ii) The extent of nonroad transportation
15 electrification usage and transportation electrification
16 charging infrastructure.

17 (iii) The additional transportation electrification
18 charging infrastructure that is reasonably necessary to
19 achieve the applicable regional goal established in
20 accordance with subsection (a) or, if no regional goal is
21 established, the Statewide goal established in accordance
22 with subsection (a) as applied to the priority
23 alternative transportation infrastructure counties served
24 by the electric distribution company.

25 (iv) Recommendations regarding the geographic
26 distribution and general specifications of transportation
27 electrification charging infrastructure identified in
28 accordance with subparagraph (iii), including
29 recommendations specific to the deployment of electric
30 vehicle charging infrastructure to serve low-income

1 communities, multiunit residential buildings and
2 commercial workplaces.

3 (c) Transportation electrification infrastructure
4 development plan.--

5 (1) An electric distribution company serving one or more
6 priority alternative transportation infrastructure counties
7 shall file a transportation electrification infrastructure
8 development plan with the commission for approval within 18
9 months of the submission of a transportation electrification
10 infrastructure regional framework for the service territory.
11 The electric distribution company shall provide its
12 transportation electrification infrastructure regional
13 framework as part of the infrastructure development plan
14 filing.

15 (2) The infrastructure development plan shall describe
16 the company's proposal to achieve deployment of the
17 transportation electrification infrastructure reasonably
18 necessary to achieve the applicable regional goal established
19 in accordance with subsection (a) or, if no regional goal is
20 established, the Statewide goal established in accordance
21 with subsection (a) as applied to the priority alternative
22 transportation infrastructure counties served by the electric
23 distribution company. The infrastructure development plan
24 shall include strategies to optimize the use of the electric
25 distribution grid and provide opportunities for the reduction
26 of electric charging costs for customers, including time-of-
27 use rates.

28 (3) The infrastructure development plan may include
29 transportation electrification charging stations owned and
30 operated by the electric distribution company and third

1 parties as well as customer incentives and customer education
2 programs related to installing or using transportation
3 electrification charging stations.

4 (4) (i) Subject to subparagraph (ii), transportation
5 electrification charging stations owned by the electric
6 distribution company and stations where distribution
7 system extension costs necessary for operation are
8 recovered as plan costs as provided in this section shall
9 be public access charging stations and include regional
10 interoperability capacity.

11 (ii) The commission shall exempt a station from the
12 public access requirement if the station is installed at
13 a multiunit residential building or commercial or
14 industrial workplace.

15 (d) Commission approval.--

16 (1) The commission shall conduct a public hearing on
17 each infrastructure development plan filed under subsection
18 (c) and approve or disapprove the plan within 180 days of
19 submission.

20 (2) If the commission does not approve a plan, the
21 commission shall describe in detail the reasons for
22 disapproval, and the electric distribution company shall have
23 60 days to file a revised plan to address the deficiencies
24 identified by the commission.

25 (3) A revised plan shall be approved or disapproved by
26 the commission within 60 days.

27 (e) Recovery.--An electric distribution company shall be
28 entitled to recover, in distribution rates established under
29 section 1308 (relating to voluntary changes in rates), all
30 reasonable and prudent costs incurred in the implementation of

1 this section, including the costs of transportation
2 electrification infrastructure regional frameworks and
3 infrastructure development plans, transportation electrification
4 infrastructure, including annual depreciation costs and capital
5 costs over the life of transportation electrification charging
6 technology and required distribution system upgrades,
7 incentives, and education provided in accordance with an
8 infrastructure development plan approved under subsection (d).

9 (f) Additional regional frameworks and infrastructure
10 development plans.--

11 (1) An electric distribution company shall contract for
12 an update of the regional framework required under subsection
13 (b) every four years.

14 (2) The electric distribution company shall submit the
15 updated regional framework to the commission and file an
16 updated transportation electrification infrastructure
17 development plan within six months of the submission of the
18 updated regional framework.

19 (3) Additional regional frameworks and infrastructure
20 development plans shall be developed after December 31, 2026,
21 as directed by the commission.

22 (g) Voluntary development of transportation electrification
23 infrastructure development plans.--An electric distribution
24 company may file a transportation electrification infrastructure
25 development plan for commission approval in accordance with this
26 section for counties within the company's service territory that
27 do not qualify as priority alternative transportation
28 infrastructure counties.

29 (h) Natural gas transportation infrastructure assessment.--

30 (1) Within one year of the effective date of this

1 section, the Governor or his designee shall complete a
2 Statewide assessment of current natural gas vehicle usage and
3 fueling infrastructure in this Commonwealth. The assessment
4 shall identify opportunities and goals for the expansion of
5 natural gas vehicle usage and fueling infrastructure in this
6 Commonwealth and make recommendations to the General Assembly
7 and the commission to support the expansion.

8 (2) The Governor or his designee shall transmit the
9 assessment and recommendations to the commission for posting
10 on the commission's publicly accessible Internet website.

11 (i) Penalties.--No electric distribution company shall be
12 subject to penalties for failure to meet the applicable goal
13 established under subsection (a) if the electric distribution
14 company is otherwise in compliance with its commission-approved
15 infrastructure development plan.

16 (j) Definitions.--As used in this section, the following
17 words and phrases shall have the meanings given to them in this
18 subsection unless the context clearly indicates otherwise:

19 "Electric vehicle charging station." A facility or equipment
20 designed to charge batteries within plug-in electric vehicles by
21 permitting the transfer of electric energy to a battery or other
22 storage device in a plug-in electric vehicle.

23 "Plug-in electric vehicle." A motor vehicle that is powered
24 partly or solely by a battery that can be recharged by plugging
25 it into an external source of electricity and which motor
26 vehicle meets the applicable Federal and State safety standards
27 for on-road vehicles.

28 "Priority alternative transportation infrastructure county."
29 A county in this Commonwealth including all or part of a
30 metropolitan statistical area with a population of at least

1 500,000 people as defined by the United States Census Bureau.

2 "Qualifying independent transportation analyst." A regional
3 planning commission established in accordance with the laws of
4 this Commonwealth or an independent analyst with demonstrated
5 expertise in transportation modeling and forecasting.

6 "Transportation electrification." The use of electricity
7 from external sources of electrical power, including the
8 electrical grid, for all or part of vehicles, vessels, trains,
9 boats or other equipment that are mobile sources of air
10 pollution and greenhouse gases and the related programs and
11 charging and propulsion infrastructure investments to enable and
12 encourage this use of electricity.

13 Section 2. Section 8102 of Title 74 is amended by adding
14 definitions to read:

15 § 8102. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

19 * * *

20 "Electric vehicle charging station." As defined in 66
21 Pa.C.S. § 2816 (relating to transportation fueling
22 infrastructure development).

23 * * *

24 "Natural gas vehicle." A motor vehicle that is able to
25 operate on 100% compressed natural gas fuel.

26 * * *

27 "Plug-in electric vehicle." As defined in 66 Pa.C.S. § 2816.

28 * * *

29 Section 3. Title 74 is amended by adding a section to read:

30 § 8124. Statewide electric vehicle charging and natural gas

1 fueling networks.

2 (a) Creation of Statewide networks.--By January 31, 2020,
3 the department, in conjunction with the commission, shall
4 provide for at least two high-speed electric vehicle charging
5 stations and a natural gas fueling station accessible to the
6 public at each interstate highway rest area and welcome center.
7 The stations may be owned and operated by the commission, its
8 designee, or a private or nonprofit entity, including an
9 electric distribution company, with respect to electric vehicle
10 charging stations, or a natural gas distribution company, with
11 respect to compressed natural gas fueling stations, that
12 provides utility service to the applicable highway rest area or
13 welcome center.

14 (b) Cooperation.--The Pennsylvania Public Utility Commission
15 shall cooperate with the department and the commission in the
16 creation of Statewide electric vehicle charging and natural gas
17 fueling networks required by this section.

18 Section 4. This act shall take effect in 60 days.