

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, WATSON, McCARTER, RABB AND C. QUINN, JUNE 6, 2017

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 13, 2018

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 AMENDING TITLE 66 (PUBLIC UTILITIES) OF THE PENNSYLVANIA <--
8 CONSOLIDATED STATUTES, IN RESTRUCTURING OF ELECTRIC UTILITY
9 INDUSTRY, PROVIDING FOR TRANSPORTATION FUELING INFRASTRUCTURE
10 DEVELOPMENT.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 ~~Section 1. Title 66 of the Pennsylvania Consolidated~~ <--
14 ~~Statutes is amended by adding a section to read:~~

15 ~~§ 2816. Transportation fueling infrastructure development.~~

16 ~~(a) Transportation electrification opportunity assessment.~~

17 ~~(1) Within 180 days of the effective date of this~~
18 ~~section, the Governor or his designee shall establish a~~
19 ~~Statewide goal for the expansion of transportation~~
20 ~~electrification in this Commonwealth based upon a Statewide~~
21 ~~transportation electrification opportunity assessment. The~~

1 ~~goal shall be no less than a 50% expansion of annual~~
2 ~~transportation electrification usage above current market~~
3 ~~forecasts for December 31, 2030, as of the effective date of~~
4 ~~this section.~~

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

9 ~~(b) Transportation electrification infrastructure regional~~
10 ~~framework.~~

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

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

29 ~~(3) If multiple electric distribution companies serve a~~
30 ~~single priority alternative transportation infrastructure~~

~~county, the electric distribution companies may elect to collaborate on the selection of a qualifying independent transportation analyst for the county and allocate framework-related costs proportionally based upon the number of customers served in the county or by another mutually agreeable method.~~

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

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

~~(ii) The extent of nonroad transportation electrification usage and transportation electrification charging infrastructure.~~

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

~~(iv) Recommendations regarding the geographic distribution and general specifications of transportation electrification charging infrastructure identified in accordance with subparagraph (iii), including~~

1 ~~recommendations specific to the deployment of electric~~
2 ~~vehicle charging infrastructure to serve low income~~
3 ~~communities, multiunit residential buildings and~~
4 ~~commercial workplaces.~~

5 ~~(c) Transportation electrification infrastructure~~
6 ~~development plan.~~

7 ~~(1) An electric distribution company serving one or more~~
8 ~~priority alternative transportation infrastructure counties~~
9 ~~shall file a transportation electrification infrastructure~~
10 ~~development plan with the commission for approval within 18~~
11 ~~months of the submission of a transportation electrification~~
12 ~~infrastructure regional framework for the service territory.~~

13 ~~The electric distribution company shall provide its~~
14 ~~transportation electrification infrastructure regional~~
15 ~~framework as part of the infrastructure development plan~~
16 ~~filing.~~

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

30 ~~(3) The infrastructure development plan may include~~

~~1 transportation electrification charging stations owned and
2 operated by the electric distribution company and third
3 parties as well as customer incentives and customer education
4 programs related to installing or using transportation
5 electrification charging stations.~~

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

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

~~17 (d) Commission approval.~~

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

~~22 (2) If the commission does not approve a plan, the
23 commission shall describe in detail the reasons for
24 disapproval, and the electric distribution company shall have
25 60 days to file a revised plan to address the deficiencies
26 identified by the commission.~~

~~27 (3) A revised plan shall be approved or disapproved by
28 the commission within 60 days.~~

~~29 (e) Recovery. An electric distribution company shall be
30 entitled to recover, in distribution rates established under~~

1 ~~section 1308 (relating to voluntary changes in rates), all~~
2 ~~reasonable and prudent costs incurred in the implementation of~~
3 ~~this section, including the costs of transportation~~
4 ~~electrification infrastructure regional frameworks and~~
5 ~~infrastructure development plans, transportation electrification~~
6 ~~infrastructure, including annual depreciation costs and capital~~
7 ~~costs over the life of transportation electrification charging~~
8 ~~technology and required distribution system upgrades,~~
9 ~~incentives, and education provided in accordance with an~~
10 ~~infrastructure development plan approved under subsection (d).~~

11 ~~(f) Additional regional frameworks and infrastructure~~
12 ~~development plans.~~

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

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

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

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

1 ~~(h) Natural gas transportation infrastructure assessment.~~

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

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

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

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

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

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

30 ~~"Priority alternative transportation infrastructure county."~~

~~1 A county in this Commonwealth including all or part of a
2 metropolitan statistical area with a population of at least
3 500,000 people as defined by the United States Census Bureau.~~

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

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

~~15 Section 2. Section 8102 of Title 74 is amended by adding
16 definitions to read:~~

~~17 § 8102. Definitions.~~

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

~~21 * * *~~

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

~~25 * * *~~

~~26 "Natural gas vehicle." A motor vehicle that is able to
27 operate on 100% compressed natural gas fuel.~~

~~28 * * *~~

~~29 "Plug in electric vehicle." As defined in 66 Pa.C.S. § 2816.~~

~~30 * * *~~

1 ~~Section 3. Title 74 is amended by adding a section to read:~~
2 ~~§ 8124. Statewide electric vehicle charging and natural gas~~
3 ~~fueling networks.~~

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

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

20 ~~Section 4. This act shall take effect in 60 days.~~

21 SECTION 1. TITLE 66 OF THE PENNSYLVANIA CONSOLIDATED
22 STATUTES IS AMENDED BY ADDING A SECTION TO READ:

23 § 2816. TRANSPORTATION FUELING INFRASTRUCTURE DEVELOPMENT.

24 (A) TRANSPORTATION ELECTRIFICATION OPPORTUNITY ASSESSMENT.--

25 (1) WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS
26 SECTION, THE GOVERNOR OR A DESIGNEE OF THE GOVERNOR SHALL
27 ESTABLISH A STATEWIDE GOAL FOR THE EXPANSION OF
28 TRANSPORTATION ELECTRIFICATION IN THIS COMMONWEALTH BASED
29 UPON A STATEWIDE TRANSPORTATION ELECTRIFICATION OPPORTUNITY
30 ASSESSMENT. THE GOAL SHALL BE NO LESS THAN A 50% EXPANSION OF

1 ANNUAL TRANSPORTATION ELECTRIFICATION USAGE ABOVE CURRENT
2 MARKET FORECASTS FOR DECEMBER 31, 2030, AS OF THE EFFECTIVE
3 DATE OF THIS SECTION.

4 (2) AT THE TIME THE STATEWIDE GOAL IS ESTABLISHED, THE
5 GOVERNOR OR A DESIGNEE OF THE GOVERNOR MAY ALSO ESTABLISH
6 REGIONAL GOALS FOR EACH GROUP OF PRIORITY ALTERNATIVE
7 TRANSPORTATION INFRASTRUCTURE COUNTIES THAT ARE SERVED, IN
8 WHOLE OR IN PART, BY AN ELECTRIC DISTRIBUTION COMPANY.

9 (B) COMMISSION GUIDELINES.--NO LATER THAN ONE YEAR AFTER THE
10 EFFECTIVE DATE OF THIS SECTION, THE COMMISSION SHALL ISSUE
11 TRANSPORTATION ELECTRIFICATION INFRASTRUCTURE DEVELOPMENT PLAN
12 GUIDELINES FOR ELECTRIC DISTRIBUTION COMPANIES ADDRESSING THE
13 FOLLOWING:

14 (1) THE ESTABLISHMENT OF STRATEGICALLY LOCATED PUBLIC
15 ELECTRIC VEHICLE CHARGING STATIONS, INCLUDING UTILITY-OWNED
16 ELECTRIC VEHICLE CHARGING STATIONS AND NON-UTILITY-OWNED
17 STATIONS PARTICIPATING IN A UTILITY INCENTIVE PROGRAM.

18 (2) THE ELECTRIFICATION OF PUBLIC TRANSIT AND MEDIUM AND
19 HEAVY-DUTY FLEETS.

20 (3) THE DEPLOYMENT OF NON-UTILITY-OWNED ELECTRIC VEHICLE
21 CHARGING STATIONS.

22 (4) REQUIREMENTS TO ENSURE THAT ELECTRIC DISTRIBUTION
23 COMPANY DEVELOPMENT PLANS WITH UTILITY-OWNED CHARGING
24 STATIONS AND INCENTIVE PROGRAMS ARE IMPLEMENTED IN A
25 COMPETITIVE AND NONDISCRIMINATORY MANNER AND DO NOT LIMIT
26 PUBLIC ACCESS TO CHARGING STATIONS OWNED BY THIRD PARTIES NOT
27 PARTICIPATING IN UTILITY INCENTIVE PROGRAMS.

28 (5) STANDARDS FOR TECHNICAL INTEROPERABILITY OF ELECTRIC
29 VEHICLE CHARGING STATIONS AND FLEXIBLE PAYMENT OPTIONS,
30 INCLUDING CREDIT CARDS, TO FACILITATE ELECTRIC VEHICLE TRAVEL

1 ACROSS THE COMMONWEALTH.

2 (6) THE PROCEDURES FOR APPROVAL OF TRANSPORTATION
3 ELECTRIFICATION INFRASTRUCTURE DEVELOPMENT PLANS.

4 (C) REVISED GUIDELINES.--NO LATER THAN ONE YEAR BEFORE EACH
5 UPDATED TRANSPORTATION ELECTRIFICATION INFRASTRUCTURE
6 DEVELOPMENT PLAN FILING REQUIRED UNDER SUBSECTION (H), THE
7 COMMISSION MAY ISSUE REVISED GUIDELINES TO REFLECT TECHNOLOGICAL
8 DEVELOPMENTS AND CHANGES IN MARKET CONDITIONS.

9 (D) TRANSPORTATION ELECTRIFICATION INFRASTRUCTURE REGIONAL
10 FRAMEWORK.--

11 (1) AN ELECTRIC DISTRIBUTION COMPANY SERVING ONE OR MORE
12 PRIORITY ALTERNATIVE TRANSPORTATION INFRASTRUCTURE COUNTIES
13 SHALL CONTRACT WITH A QUALIFYING INDEPENDENT TRANSPORTATION
14 ANALYST TO DEVELOP A TRANSPORTATION ELECTRIFICATION
15 INFRASTRUCTURE REGIONAL FRAMEWORK FOR THOSE COUNTIES.

16 (2) THE REGIONAL FRAMEWORK DEVELOPMENT PROCESS SHALL
17 INCLUDE REPRESENTATIVES FROM THE DEPARTMENT OF
18 TRANSPORTATION, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION,
19 COUNTY AND MUNICIPAL GOVERNMENTS OF THE PRIORITY ALTERNATIVE
20 TRANSPORTATION INFRASTRUCTURE COUNTIES SERVED BY THE ELECTRIC
21 DISTRIBUTION COMPANY, PUBLIC TRANSIT ORGANIZATIONS AND THE
22 ELECTRIC DISTRIBUTION COMPANY. ELECTRIC DISTRIBUTION
23 COMPANIES SHALL INVITE REPRESENTATIVES OF REGIONAL PLANNING
24 COMMISSIONS, SCHOOL DISTRICTS, OWNERS OF VEHICLE FLEETS,
25 TRANSPORTATION NETWORK COMPANIES, EXPERTS IN TRANSPORTATION
26 ELECTRIFICATION CHARGING INFRASTRUCTURE, MANUFACTURERS OF
27 TRANSPORTATION ELECTRIFICATION EQUIPMENT AND OTHER
28 PARTICIPANTS AND STAKEHOLDERS IN THE TRANSPORTATION
29 ELECTRIFICATION MARKET TO PARTICIPATE IN THE REGIONAL
30 FRAMEWORK DEVELOPMENT PROCESS.

1 (3) IF MULTIPLE ELECTRIC DISTRIBUTION COMPANIES SERVE A
2 SINGLE PRIORITY ALTERNATIVE TRANSPORTATION INFRASTRUCTURE
3 COUNTY, THE ELECTRIC DISTRIBUTION COMPANIES MAY ELECT TO
4 COLLABORATE ON THE SELECTION OF A QUALIFYING INDEPENDENT
5 TRANSPORTATION ANALYST FOR THE COUNTY AND ALLOCATE FRAMEWORK-
6 RELATED COSTS PROPORTIONALLY BASED UPON THE NUMBER OF
7 CUSTOMERS SERVED IN THE COUNTY OR BY ANOTHER MUTUALLY
8 AGREEABLE METHOD.

9 (4) A REGIONAL FRAMEWORK SHALL PROVIDE THE FOLLOWING
10 INFORMATION FOR THE PRIORITY ALTERNATIVE TRANSPORTATION
11 INFRASTRUCTURE COUNTIES SERVED BY THE ELECTRIC DISTRIBUTION
12 COMPANY:

13 (I) THE EXTENT OF OWNERSHIP, LEASING AND USAGE OF
14 BATTERY ELECTRIC VEHICLES, INCLUDING HEAVY-DUTY BATTERY
15 ELECTRIC VEHICLES, AS WELL AS PROJECTED OWNERSHIP,
16 LEASING AND USAGE THROUGH DECEMBER 31, 2030, OR 15 YEARS
17 AFTER THE EFFECTIVE DATE OF THIS SECTION, WHICHEVER IS
18 LATER.

19 (II) THE EXTENT OF NONROAD TRANSPORTATION
20 ELECTRIFICATION USAGE AND TRANSPORTATION ELECTRIFICATION
21 CHARGING INFRASTRUCTURE.

22 (III) THE ADDITIONAL TRANSPORTATION ELECTRIFICATION
23 CHARGING INFRASTRUCTURE THAT IS REASONABLY NECESSARY TO
24 ACHIEVE THE APPLICABLE REGIONAL GOAL ESTABLISHED IN
25 ACCORDANCE WITH SUBSECTION (A) OR, IF NO REGIONAL GOAL IS
26 ESTABLISHED, THE STATEWIDE GOAL ESTABLISHED IN ACCORDANCE
27 WITH SUBSECTION (A) AS APPLIED TO THE PRIORITY
28 ALTERNATIVE TRANSPORTATION INFRASTRUCTURE COUNTIES SERVED
29 BY THE ELECTRIC DISTRIBUTION COMPANY.

30 (IV) RECOMMENDATIONS REGARDING THE GEOGRAPHIC

1 DISTRIBUTION AND GENERAL SPECIFICATIONS OF TRANSPORTATION
2 ELECTRIFICATION CHARGING INFRASTRUCTURE IDENTIFIED IN
3 ACCORDANCE WITH SUBPARAGRAPH (III), INCLUDING
4 RECOMMENDATIONS SPECIFIC TO THE DEPLOYMENT OF ELECTRIC
5 VEHICLE CHARGING INFRASTRUCTURE TO SERVE LOW-INCOME
6 COMMUNITIES, MULTIUNIT COMMERCIAL, RESIDENTIAL AND MIXED-
7 USE BUILDINGS AND SINGLE-FAMILY RESIDENTIAL HOMES.

8 (E) TRANSPORTATION ELECTRIFICATION INFRASTRUCTURE
9 DEVELOPMENT PLAN.--

10 (1) AN ELECTRIC DISTRIBUTION COMPANY SERVING ONE OR MORE
11 PRIORITY ALTERNATIVE TRANSPORTATION INFRASTRUCTURE COUNTIES
12 SHALL, CONSISTENT WITH THE GUIDELINES ESTABLISHED PURSUANT TO
13 SUBSECTION (B) AND (C), FILE A TRANSPORTATION ELECTRIFICATION
14 INFRASTRUCTURE DEVELOPMENT PLAN WITH THE COMMISSION WITHIN 18
15 MONTHS OF THE ESTABLISHMENT OF A STATEWIDE GOAL UNDER
16 SUBSECTION (A) (1). THE ELECTRIC DISTRIBUTION COMPANY SHALL
17 PROVIDE ITS TRANSPORTATION ELECTRIFICATION INFRASTRUCTURE
18 REGIONAL FRAMEWORK AS PART OF THE INFRASTRUCTURE DEVELOPMENT
19 PLAN FILING.

20 (2) THE INFRASTRUCTURE DEVELOPMENT PLAN SHALL DESCRIBE
21 THE COMPANY'S PROPOSAL TO ACHIEVE DEPLOYMENT OF THE
22 TRANSPORTATION ELECTRIFICATION INFRASTRUCTURE REASONABLY
23 NECESSARY TO ACHIEVE THE APPLICABLE REGIONAL GOAL ESTABLISHED
24 IN ACCORDANCE WITH SUBSECTION (A) OR, IF NO REGIONAL GOAL IS
25 ESTABLISHED, THE STATEWIDE GOAL ESTABLISHED IN ACCORDANCE
26 WITH SUBSECTION (A) AS APPLIED TO THE PRIORITY ALTERNATIVE
27 TRANSPORTATION INFRASTRUCTURE COUNTIES SERVED BY THE ELECTRIC
28 DISTRIBUTION COMPANY. THE INFRASTRUCTURE DEVELOPMENT PLAN
29 SHALL INCLUDE STRATEGIES TO OPTIMIZE THE USE OF THE ELECTRIC
30 DISTRIBUTION GRID AND PROVIDE OPPORTUNITIES FOR THE REDUCTION

1 OF ELECTRIC CHARGING COSTS FOR CUSTOMERS, INCLUDING TIME-OF-
2 USE RATES.

3 (3) SUBJECT TO THE GUIDELINES ESTABLISHED PURSUANT TO
4 SUBSECTIONS (B) AND (C), THE INFRASTRUCTURE DEVELOPMENT PLAN
5 MAY INCLUDE TRANSPORTATION ELECTRIFICATION CHARGING STATIONS
6 OWNED AND OPERATED BY THE ELECTRIC DISTRIBUTION COMPANY AND
7 THIRD PARTIES, INCENTIVES FOR CUSTOMERS AND THIRD-PARTY
8 CHARGING STATION OWNERS AND CUSTOMER EDUCATION PROGRAMS
9 RELATED TO INSTALLING OR USING TRANSPORTATION ELECTRIFICATION
10 CHARGING STATIONS.

11 (F) COMMISSION APPROVAL.--

12 (1) THE COMMISSION SHALL, AFTER REASONABLE NOTICE AND
13 HEARING AND WITHIN 270 DAYS OF SUBMISSION, APPROVE OR
14 DISAPPROVE EACH INFRASTRUCTURE DEVELOPMENT PLAN FILED UNDER
15 SUBSECTION (E).

16 (2) IF THE COMMISSION DOES NOT APPROVE A PLAN, THE
17 COMMISSION SHALL DESCRIBE IN DETAIL THE REASONS FOR
18 DISAPPROVAL, AND THE ELECTRIC DISTRIBUTION COMPANY SHALL HAVE
19 60 DAYS TO FILE A REVISED PLAN TO ADDRESS THE DEFICIENCIES
20 IDENTIFIED BY THE COMMISSION.

21 (3) A REVISED PLAN SHALL BE APPROVED OR DISAPPROVED BY
22 THE COMMISSION WITHIN 60 DAYS.

23 (G) RECOVERY.--

24 (1) AN ELECTRIC DISTRIBUTION COMPANY SHALL RECOVER, IN
25 DISTRIBUTION RATES ESTABLISHED UNDER SECTION 1308 (RELATING
26 TO VOLUNTARY CHANGES IN RATES), ALL REASONABLE AND PRUDENT
27 COSTS INCURRED IN THE IMPLEMENTATION OF THIS SECTION,
28 INCLUDING THE COSTS OF TRANSPORTATION ELECTRIFICATION
29 INFRASTRUCTURE REGIONAL FRAMEWORKS AND INFRASTRUCTURE
30 DEVELOPMENT PLANS, TRANSPORTATION ELECTRIFICATION

1 INFRASTRUCTURE, INCLUDING ANNUAL DEPRECIATION COSTS, CAPITAL
2 COSTS OVER THE LIFE OF TRANSPORTATION ELECTRIFICATION
3 CHARGING TECHNOLOGY AND REQUIRED DISTRIBUTION SYSTEM
4 UPGRADES, INCENTIVES AND EDUCATION PROVIDED IN ACCORDANCE
5 WITH AN INFRASTRUCTURE DEVELOPMENT PLAN APPROVED UNDER
6 SUBSECTION (F). THE COMMISSION MAY DETERMINE THE APPROPRIATE
7 RATE STRUCTURE AND COST ALLOCATION FOR THE JUST AND
8 REASONABLE RECOVERY OF PRUDENTLY INCURRED COSTS, WHICH MAY
9 INCLUDE ANY PAYMENTS BY CUSTOMERS RELATED TO A SPECIFIC
10 ELECTRIC VEHICLE CHARGING STATION OR OTHER TRANSPORTATION
11 ELECTRIFICATION INFRASTRUCTURE.

12 (2) THE COSTS RECOVERED UNDER THIS SUBSECTION BY AN
13 ELECTRIC DISTRIBUTION COMPANY SHALL ONLY BE USED FOR THE
14 MAINTENANCE AND EXPANSION OF TRANSPORTATION ELECTRIFICATION
15 INFRASTRUCTURE.

16 (H) ADDITIONAL REGIONAL FRAMEWORKS AND INFRASTRUCTURE
17 DEVELOPMENT PLANS.--AN ELECTRIC DISTRIBUTION COMPANY SHALL
18 CONTRACT FOR AN UPDATE OF THE REGIONAL FRAMEWORK REQUIRED UNDER
19 SUBSECTION (D) AND FILE AN UPDATED TRANSPORTATION
20 ELECTRIFICATION INFRASTRUCTURE DEVELOPMENT PLAN REQUIRED UNDER
21 SUBSECTION (E) EVERY FOUR YEARS. ADDITIONAL REGIONAL FRAMEWORKS
22 AND INFRASTRUCTURE DEVELOPMENT PLANS SHALL BE DEVELOPED AFTER
23 DECEMBER 31, 2026, AS DIRECTED BY THE COMMISSION.

24 (I) VOLUNTARY DEVELOPMENT OF TRANSPORTATION ELECTRIFICATION
25 INFRASTRUCTURE DEVELOPMENT PLANS.--AN ELECTRIC DISTRIBUTION
26 COMPANY MAY FILE A TRANSPORTATION ELECTRIFICATION INFRASTRUCTURE
27 DEVELOPMENT PLAN FOR COMMISSION APPROVAL IN ACCORDANCE WITH THIS
28 SECTION FOR COUNTIES WITHIN THE COMPANY'S SERVICE TERRITORY THAT
29 DO NOT QUALIFY AS PRIORITY ALTERNATIVE TRANSPORTATION
30 INFRASTRUCTURE COUNTIES. THE COMMISSION APPROVAL REQUIREMENTS OF

1 SUBSECTION (F) DO NOT APPLY TO PLANS FILED UNDER THIS
2 SUBSECTION.

3 (J) OPEN ACCESS FOR PUBLIC ELECTRIC VEHICLE CHARGING
4 STATIONS.--

5 (1) AN ELECTRIC VEHICLE OPERATOR WHO CHOOSES TO USE A
6 PUBLIC ELECTRIC VEHICLE CHARGING STATION INSTALLED OR
7 OPERATED WITH INCENTIVES AUTHORIZED UNDER A TRANSPORTATION
8 ELECTRIFICATION INFRASTRUCTURE DEVELOPMENT PLAN OR BY AN
9 ELECTRIC DISTRIBUTION COMPANY SHALL NOT BE REQUIRED TO ENROLL
10 IN A CLUB, ASSOCIATION OR MEMBERSHIP ORGANIZATION OR PAY A
11 SUBSCRIPTION FEE AS A CONDITION TO USE THE STATION. NOTHING
12 IN THIS SECTION SHALL PREVENT NONUTILITY OWNERS AND OPERATORS
13 OF ELECTRIC VEHICLE CHARGING STATIONS THAT ARE INSTALLED OR
14 OPERATED WITHOUT INCENTIVES AUTHORIZED UNDER A TRANSPORTATION
15 ELECTRIFICATION INFRASTRUCTURE DEVELOPMENT PLAN FROM
16 INCLUDING THOSE STATIONS IN A SUBSCRIPTION OR MEMBERSHIP
17 NETWORK WITH VARIABLE RATE STRUCTURES.

18 (2) THE OWNER OR LESSEE OF A PUBLICLY AVAILABLE PARKING
19 SPACE, WHOSE PRIMARY BUSINESS IS NOT ELECTRIC VEHICLE
20 CHARGING SERVICES, MAY RESTRICT THE USE OF THAT PARKING
21 SPACE, INCLUDING BY LIMITING USE TO CUSTOMERS AND VISITORS OF
22 THE BUSINESS.

23 (3) THE OWNER OR OPERATOR OF A PUBLIC ELECTRIC VEHICLE
24 CHARGING STATION INSTALLED OR OPERATED WITH INCENTIVES
25 AUTHORIZED UNDER A TRANSPORTATION ELECTRIFICATION
26 INFRASTRUCTURE DEVELOPMENT PLAN OR BY AN ELECTRIC
27 DISTRIBUTION COMPANY SHALL DISCLOSE THE STATION'S GEOGRAPHIC
28 LOCATION, HOURS OF OPERATION, CHARGING LEVEL, HARDWARE
29 COMPATIBILITY, SCHEDULE OF FEES, ACCEPTED METHODS OF PAYMENT
30 AND THE AMOUNT OF NETWORK ROAMING CHARGES FOR NONMEMBERS, IF

1 ANY, ON AN ONGOING BASIS TO THE COMMISSION, THE DEPARTMENT OF
2 REVENUE AND THE UNITED STATES DEPARTMENT OF ENERGY NATIONAL
3 RENEWABLE ENERGY LABORATORY.

4 (K) PUBLICLY FUNDED CHARGING INFRASTRUCTURE.--ANY PUBLICLY
5 FUNDED CHARGING INFRASTRUCTURE USING RATEPAYER OR TAXPAYER FUNDS
6 SHOULD ADHERE TO THE TECHNICAL INTEROPERABILITY STANDARDS
7 ADOPTED OR GUIDED BY THE COMMISSION AND BE SMART CHARGERS, THAT
8 IS, NETWORKED AND SUBMETERED.

9 (L) NATURAL GAS AND HYDROGEN-FUELED TRANSPORTATION
10 INFRASTRUCTURE ASSESSMENT.--

11 (1) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS
12 SECTION, THE GOVERNOR OR A DESIGNEE OF THE GOVERNOR SHALL
13 COMPLETE A STATEWIDE ASSESSMENT OF CURRENT NATURAL GAS AND
14 HYDROGEN-FUELED VEHICLE USAGE AND FUELING INFRASTRUCTURE IN
15 THIS COMMONWEALTH. THE ASSESSMENT SHALL IDENTIFY
16 OPPORTUNITIES AND GOALS FOR THE EXPANSION OF NATURAL GAS AND
17 HYDROGEN-FUELED VEHICLE USAGE AND FUELING INFRASTRUCTURE IN
18 THIS COMMONWEALTH AND MAKE RECOMMENDATIONS TO THE GENERAL
19 ASSEMBLY AND THE COMMISSION TO SUPPORT THE EXPANSION.

20 (2) THE GOVERNOR OR A DESIGNEE OF THE GOVERNOR SHALL
21 TRANSMIT THE ASSESSMENT AND RECOMMENDATIONS TO THE COMMISSION
22 FOR POSTING ON THE COMMISSION'S PUBLICLY ACCESSIBLE INTERNET
23 WEBSITE.

24 (M) ALTERNATIVE FUELS TAX.--AN ELECTRIC DISTRIBUTION COMPANY
25 OR THIRD PARTY WHICH OWNS A TRANSPORTATION ELECTRIFICATION
26 CHARGING STATION SHALL BE SUBJECT TO THE ALTERNATIVE FUELS TAX
27 UNDER 75 PA.C.S. § 9004 (RELATING TO IMPOSITION OF TAX,
28 EXEMPTIONS AND DEDUCTIONS).

29 (N) PENALTIES.--NO ELECTRIC DISTRIBUTION COMPANY SHALL BE
30 SUBJECT TO PENALTIES FOR FAILURE TO MEET THE APPLICABLE GOAL

1 ESTABLISHED UNDER SUBSECTION (A) IF THE ELECTRIC DISTRIBUTION
2 COMPANY IS OTHERWISE IN COMPLIANCE WITH ITS COMMISSION-APPROVED
3 INFRASTRUCTURE DEVELOPMENT PLAN.

4 (O) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
5 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
6 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

7 "BATTERY ELECTRIC VEHICLE." A MOTOR VEHICLE THAT IS POWERED
8 PARTLY OR SOLELY BY A BATTERY THAT CAN BE RECHARGED WIRELESSLY
9 OR BY PLUGGING IT INTO AN EXTERNAL SOURCE OF ELECTRICITY AND
10 WHICH MOTOR VEHICLE MEETS THE APPLICABLE FEDERAL AND STATE
11 SAFETY STANDARDS FOR ON-ROAD VEHICLES.

12 "ELECTRIC VEHICLE CHARGING STATION." A FACILITY OR EQUIPMENT
13 DESIGNED TO CHARGE BATTERIES WITHIN BATTERY ELECTRIC VEHICLES BY
14 PERMITTING THE TRANSFER OF ELECTRIC ENERGY TO A BATTERY OR OTHER
15 STORAGE DEVICE IN A BATTERY ELECTRIC VEHICLE.

16 "PRIORITY ALTERNATIVE TRANSPORTATION INFRASTRUCTURE COUNTY."
17 A COUNTY IN THIS COMMONWEALTH INCLUDING ALL OR PART OF A
18 METROPOLITAN STATISTICAL AREA WITH A POPULATION OF AT LEAST
19 500,000 PEOPLE AS DEFINED BY THE UNITED STATES CENSUS BUREAU.

20 "PUBLIC ELECTRIC VEHICLE CHARGING STATION." AN ELECTRIC
21 VEHICLE CHARGING STATION LOCATED AT A PUBLICLY AVAILABLE PARKING
22 SPACE.

23 "PUBLICLY AVAILABLE PARKING SPACE." A PARKING SPACE THAT HAS
24 BEEN DESIGNATED BY A PROPERTY OWNER OR A LESSEE TO BE AVAILABLE
25 TO AND ACCESSIBLE BY THE PUBLIC, INCLUDING ON-STREET PARKING
26 SPACES AND PARKING SPACES IN SURFACE LOTS OR PARKING GARAGES.
27 THE TERM SHALL NOT INCLUDE A PARKING SPACE THAT IS PART OF OR
28 ASSOCIATED WITH A PRIVATE RESIDENCE OR A PARKING SPACE THAT IS
29 RESERVED FOR THE EXCLUSIVE USE OF AN INDIVIDUAL DRIVER OR
30 VEHICLE OR FOR A GROUP OF DRIVERS OF VEHICLES INCLUDING

1 EMPLOYEES, TENANTS, VISITORS OR RESIDENTS OF A COMMON INTEREST
2 DEVELOPMENT OR RESIDENTS OF AN ADJACENT BUILDING.

3 "QUALIFYING INDEPENDENT TRANSPORTATION ANALYST." A REGIONAL
4 PLANNING COMMISSION ESTABLISHED IN ACCORDANCE WITH THE LAWS OF
5 THIS COMMONWEALTH OR AN INDEPENDENT ANALYST WITH DEMONSTRATED
6 EXPERTISE IN TRANSPORTATION MODELING AND FORECASTING.

7 "TRANSPORTATION ELECTRIFICATION." THE USE OF ELECTRICITY
8 FROM EXTERNAL SOURCES OF ELECTRICAL POWER, INCLUDING THE
9 ELECTRICAL GRID, FOR ALL OR PART OF VEHICLES, VESSELS, TRAINS,
10 BOATS OR OTHER EQUIPMENT THAT ARE MOBILE SOURCES OF AIR
11 POLLUTION AND GREENHOUSE GASES AND THE RELATED PROGRAMS AND
12 CHARGING AND PROPULSION INFRASTRUCTURE INVESTMENTS TO ENABLE AND
13 ENCOURAGE THIS USE OF ELECTRICITY.

14 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.