## House Bill 1322

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By: Representatives Powell of the 32<sup>nd</sup>, Jones of the 25<sup>th</sup>, Jasperse of the 11<sup>th</sup>, Mitchell of the 88<sup>th</sup>, Buckner of the 137<sup>th</sup>, and others

## A BILL TO BE ENTITLED AN ACT

1 To amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities and 2 public transportation, so as to provide for the deployment of electric vehicle charging 3 equipment; to provide for legislative findings and declarations; to provide for definitions; to 4 require any electric light and power company subject to regulation by the Public Service 5 Commission to file tariffs with the commission for electricity rates for privately owned electric vehicle charging equipment; to allow such electric supplier to provide electric 6 7 vehicle charging equipment directly to the public through a separate, unregulated entity 8 under certain conditions; to prohibit such electric supplier from discrimination between 9 electric vehicle charging providers; to encourage other electric suppliers to develop such 10 tariffs; to prohibit electric vehicle charging equipment of any electric light and power 11 company subject to regulation by the commission from inclusion in the rate base; to provide 12 for the promulgation of rules and regulations; to provide for related matters; to repeal 13 conflicting laws; and for other purposes.

## BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

16 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public

17 transportation, is amended by adding a new chapter to read as follows:

18 "<u>CHAPTER 3B</u>

- 19 46-3B-1.
- The General Assembly finds that it is in the best interests of this state to establish a
- 21 <u>framework designed to encourage private sector investment in the deployment of electric</u>
- vehicle charging equipment. Such a framework is essential to foster the rapid installation
- and widespread use of such equipment on real property whose owners or tenants desire to
- 24 <u>make such an investment. To provide for such deployment, the General Assembly declares</u>
- 25 <u>that it is necessary to:</u>
- 26 (1) Implement competitively neutral policies to encourage private sector investment in
- 27 electric vehicle charging equipment deployment;
- 28 (2) Develop and implement competitively neutral electricity tariffs aimed at and
- optimized for the low cost operation of electrical vehicle charging equipment while
- 30 <u>ensuring transparency in pricing;</u>
- 31 (3) Encourage private investment, ownership, and operation of publicly available electric
- 32 vehicle charging equipment, including equipment that allows for fast charging;
- 33 (4) Stimulate innovation, competition, and private investment in the electric vehicle
- 34 <u>charging market</u>;
- 35 (5) Develop mechanisms to incentivize and support the short-term and long-term
- 36 efficient and cost-effective use of the electric grid in a manner that supports the operation
- 37 <u>of electric vehicle charging equipment;</u>
- 38 (6) Provide investment or incentive resources to support private investment in the
- 39 <u>operation of electric vehicle charging equipment; and</u>

40 (7) Prohibit the ability of an electric supplier to recover the cost of deploying, owning,

- or operating electric vehicle charging equipment from its ratepayers.
- 42 <u>46-3B-2.</u>
- 43 As used in this chapter, the term:
- 44 (1) 'Direct current fast charging station' means a charging system that can deliver
- 45 <u>electricity at a minimum of 50 kilowatts or greater direct current to a vehicle's</u>
- 46 rechargeable battery at a voltage of 400 volts or greater.
- 47 (2) 'Electric supplier' means any electric light and power company that provides electric
- 48 service to the public and whose rates, charges, and service rules and regulations are
- subject to regulation by the commission.
- 50 (3) 'Electric vehicle' means an automobile that is propelled by one or more electric
- 51 <u>motors using energy stored in the form of a rechargeable battery.</u>
- 52 (4) 'Electric vehicle charging equipment' means any publicly available level 2 charging
- 53 station or direct current fast charging station that delivers electricity from a source outside
- 54 <u>an electric vehicle into one or more electric vehicles separate and distinct from a</u>
- 55 <u>make-ready infrastructure.</u>
- 56 (5) 'Electric vehicle charging provider' means the owner of electric vehicle charging
- 57 <u>equipment.</u>
- 58 (6) 'Level 2 charging station' means a charging system that is capable of delivering
- 59 <u>electricity at a minimum of 3 kilowatts or a maximum of 20 kilowatts alternating current</u>
- 60 <u>to a vehicle's rechargeable battery at a voltage between 208 and 240 volts.</u>
- 61 (7) 'Make-ready infrastructure' means the electrical infrastructure required to service an
- 62 electrical load up to, but not beyond the electric supplier's side of the electric meter. The
- 63 <u>term 'make-ready infrastructure' shall not include electric vehicle charging equipment.</u>

- 64 <u>46-3B-3.</u>
- The sale of electricity from privately owned electric vehicle charging equipment shall be
- deemed to be a sale of electric service for resale.
- 67 46-3B-4.
- 68 (a) An electric supplier that provides, owns, operates, and maintains electric vehicle
- charging equipment directly to the public shall do so through a separate, unregulated entity
- and must do so on the same rates, terms, and conditions offered to private providers of
- 71 <u>electric vehicle charging equipment.</u>
- 72 (b) On or before September 1, 2022, an electric supplier shall file a tariff with the
- commission which sets forth the rates, terms, and conditions for the sale of electricity to
- 74 <u>electric vehicle charging providers for the operation of electric vehicle charging equipment.</u>
- 75 (c) The rates, terms, and conditions of the electric supplier's tariff shall not discriminate
- between electric vehicle charging providers, and the same rates, terms, and conditions
- thereof shall apply to every electric vehicle charging provider, including the electric
- supplier's separate, unregulated entity.
- 79 46-3B-5.
- After August 31, 2022, no electric supplier shall allocate to or recover from the ratepayers
- of the electric supplier the cost to provide, own, operate, or maintain electric vehicle
- 82 charging equipment.
- 83 46-3B-6.
- The commission shall not approve any electric supplier's tariff setting forth the rates, terms,
- and conditions for the sale of electricity to electric vehicle charging providers unless such
- tariff complies with the policies of this state enumerated in Code Section 46-3B-1. The

87	commission shall adopt any rules and regulations necessary to implement and administer
88	the provisions of this chapter.
89	<u>46-3B-7.</u>
90	All electric membership corporations and municipalities that furnish electric service in this
91	state are strongly encouraged to develop a tariff for private electric vehicle charging
92	providers that complies with the spirit of this chapter."

93 **SECTION 2.** 

94 All laws and parts of laws in conflict with this Act are repealed.