

House Bill 1322

By: Representatives Powell of the 32nd, Jones of the 25th, Jasperse of the 11th, Mitchell of the 88th, Buckner of the 137th, 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
6 electric vehicle charging equipment; to allow such electric supplier to provide electric
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.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

40 (7) Prohibit the ability of an electric supplier to recover the cost of deploying, owning,
41 or operating electric vehicle charging equipment from its ratepayers.

42 46-3B-2.

43 As used in this chapter, the term:

44 (1) 'Direct current fast charging station' means a charging system that can deliver
45 electricity at a minimum of 50 kilowatts or greater direct current to a vehicle's
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
49 subject to regulation by the commission.

50 (3) 'Electric vehicle' means an automobile that is propelled by one or more electric
51 motors using energy stored in the form of a rechargeable battery.

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 an electric vehicle into one or more electric vehicles separate and distinct from a
55 make-ready infrastructure.

56 (5) 'Electric vehicle charging provider' means the owner of electric vehicle charging
57 equipment.

58 (6) 'Level 2 charging station' means a charging system that is capable of delivering
59 electricity at a minimum of 3 kilowatts or a maximum of 20 kilowatts alternating current
60 to a vehicle's rechargeable battery at a voltage between 208 and 240 volts.

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 term 'make-ready infrastructure' shall not include electric vehicle charging equipment.

64 46-3B-3.

65 The sale of electricity from privately owned electric vehicle charging equipment shall be
66 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
69 charging equipment directly to the public shall do so through a separate, unregulated entity
70 and must do so on the same rates, terms, and conditions offered to private providers of
71 electric vehicle charging equipment.

72 (b) On or before September 1, 2022, an electric supplier shall file a tariff with the
73 commission which sets forth the rates, terms, and conditions for the sale of electricity to
74 electric vehicle charging providers for the operation of electric vehicle charging equipment.

75 (c) The rates, terms, and conditions of the electric supplier's tariff shall not discriminate
76 between electric vehicle charging providers, and the same rates, terms, and conditions
77 thereof shall apply to every electric vehicle charging provider, including the electric
78 supplier's separate, unregulated entity.

79 46-3B-5.

80 After August 31, 2022, no electric supplier shall allocate to or recover from the ratepayers
81 of the electric supplier the cost to provide, own, operate, or maintain electric vehicle
82 charging equipment.

83 46-3B-6.

84 The commission shall not approve any electric supplier's tariff setting forth the rates, terms,
85 and conditions for the sale of electricity to electric vehicle charging providers unless such
86 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 46-3B-7.

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.