

HOUSE BILL NO. 456

INTRODUCED BY C. POPE

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A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW PUBLIC UTILITIES TO PARTICIPATE IN THE ELECTRIC VEHICLE MARKETPLACE; GRANTING UTILITIES THE RIGHT TO SELL ELECTRICITY TO PRIVATE ENTITIES FOR ELECTRIC VEHICLE CHARGING SERVICE; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 4], the following definitions apply:

- (1) "Electric vehicle charging station" means a commercial charging station including all required equipment for the provision of power and fueling of electric vehicles.
- (2) "Entity" means any party procuring power for the commercial purpose of electric vehicle charging.

NEW SECTION. **Section 2. Electric vehicle charging stations -- rate approval.** (1) A public utility may provide electric service to an electric vehicle charging station under a rate approved by the commission. A public utility electing to provide such service shall apply to the commission for an approved rate before agreeing to provide the service to a customer.

(2) Any rate for providing electric service to an electric vehicle charging station must be designed by the commission to fully recover from the electric charging station customer the full cost of providing the service without subsidization from other customers or customer classes.

NEW SECTION. **Section 3. Electric vehicle charging stations -- service entity requirements.** (1) A public utility may allow an electric vehicle charging station that meets the requirements in subsection (2) to be interconnected to its distribution system.

- (2) A public utility may sell power to an entity to service electric vehicle charging stations that:
 - (a) procure power supplied by the public utility for the purpose of electric vehicle charging; and
 - (b) service electric vehicle charging stations within the public utility's service territory.

1 (3) Entities operating electric vehicle charging stations are not public utilities.

2 (4) Charges pertaining to fueling electric vehicles may not be based on the cost of electricity.

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4 NEW SECTION. **Section 4. Commission authority -- rulemaking.** The commission may adopt rules
5 to implement and enforce the provisions of [sections 1 through 4].

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7 NEW SECTION. **Section 5. Codification instruction.** [Sections 1 through 4] are intended to be codified
8 as an integral part of Title 69, chapter 8, and the provisions of Title 69, chapter 8, apply to [sections 1 through 4].

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10 NEW SECTION. **Section 6. Effective date.** [This act] is effective on passage and approval.

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