



Via Electronic Case Filing

October 23, 2024

Executive Secretary Lisa Felice
Michigan Public Service Commission
7109 W. Saginaw Highway
Lansing, MI 48917

RE: Case No. U-21534

Dear Executive Secretary Felice:

Please find attached the following for paperless filing in the above captioned matter.

EVgo's Reply Brief
Proof of Service

Thank you for your consideration.

Sincerely,

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CC: Parties to Case No. U-21534

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

In the matter of the application of DTE)	
ELECTRIC COMPANY for authority to)	Case No. U-21534
increase its rates, amend its rate schedules)	
and rules governing the distribution and)	ALJ Sally Wallace
supply of electric energy, and for)	
miscellaneous accounting authority)	

EVGO'S REPLY BRIEF

October 23, 2024

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TABLE OF CONTENTS

I. ARGUMENT..... 1

A. Eliminating incentives for destination charging is inequitable and does not improve the ratepayer benefits of DTE’s EV program..... 1

II. SUMMARY OF REQUESTS FOR RELIEF AND CONCLUSION 3

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EVGO’S REPLY BRIEF

This rate case, like most rate cases, requires the Commission to evaluate and address a massive range of disputed issues related to DTE Electric Company’s (DTE) revenue requirement, rate design, and program design. DTE’s ambitious inaugural Transportation Electrification Plan (TEP), proposed in this proceeding, complicates the Commission’s task. While EVgo Services LLC (EVgo) supports the broad strokes of that TEP, EVgo nevertheless requests the Commission’s attention to certain important disputed issues related to DTE’s proposed design of TEP sub-programs. EVgo addresses those issues and other EV-related disputed issues in its initial brief and will not repeat those arguments here.

EVgo submits this Reply Brief to address one discrete issue related to DTE’s TEP. EVgo responds to Michigan Public Service Commission Staff’s argument in support of DTE’s decision to eliminate incentives for “community” or “destination” public charging. EVgo explains why that decision is inequitable and does not improve the ratepayer benefits of DTE’s EV program.

I. ARGUMENT

A. Eliminating incentives for destination charging is inequitable and does not improve the ratepayer benefits of DTE’s EV program.

DTE proposes to continue offering incentives that support the deployment of public fast chargers under its TEP but will offer incentives only to locations “within one mile of a major

throughway exit” (“on-route” or “corridor” locations).¹ In its initial brief, EVgo explained that DTE’s decision to limit incentives to “on-route” locations while eliminating incentives for “community” or “destination” charging is not a reasonable use of ratepayer funding, for several reasons. First and foremost, DTE’s proposal would discourage the development of public chargers that support multifamily housing residents and others that do not have access to home charging. All else equal, this would lead to the inequitable distribution of public chargers in DTE’s service territory.² Second, DTE’s proposal is at odds with the feedback it received from stakeholders prior to the TEP filing, which, according to DTE, included strong support for public on-route *and* destination charging.³ Third, the National Electric Vehicle Infrastructure (NEVI) program already offers funding to encourage chargers in corridor locations, whereas chargers further away from corridors require greater programmatic support.⁴

Staff disagrees with EVgo but does not engage with any of EVgo’s arguments listed above. Instead, Staff simply assumes corridor charging locations are “most beneficial to other ratepayers”, without citing to any record evidence supporting Staff witness Revere’s assumption. Staff witness Revere goes further and states: “those who rely exclusively on public DCFC charging are not producing the very benefit that is produced by the residential EV program”,⁵ but Staff’s brief fails to offer any record support for that assertion, nor explain why the comparison to DTE’s residential EV program is even relevant—no party has argued that incentives for destination charging should supplant residential program incentives. Most concerning, Staff entirely ignores EVgo’s arguments related to the program supporting an inequitable distribution of charging infrastructure.

¹ 6 Tr. 1963 (DTE witness Bennett Direct).

² EVgo Initial Brief at 13-14.

³ *Id.* at 15-16.

⁴ *Id.* at 16.

⁵ MPSC Staff Initial Brief at 150.

Nothing in Staff's initial brief explains why it would be fair or reasonable to discourage the deployment of community charging that supports multifamily housing residents or others without access to home charging.

EVgo does not dispute that the Commission must consider ratepayer impacts as it evaluates DTE's TEP and certainly agrees the Commission should approve those programs that not only support charger deployment but also benefit ratepayers. But the Commission need not and should not ignore distributional equity in its decision. The record demonstrates broad support for DTE's existing public charging program, which offers incentives to both on-route and community charging locations. The Commission should direct DTE to continue offering incentives to both location types and encourage the deployment of public chargers that equitably support the breadth of DTE's customers.

II. SUMMARY OF REQUESTS FOR RELIEF AND CONCLUSION

For the reasons described in EVgo's briefs and testimony, EVgo continues to request the Commission adopt the following recommendations:

- Direct DTE to support both corridor *and* community charging locations through the Business Charger Rebate program (similar to the scope of DTE's existing Business Charger Rebates program) and eliminate the requirement that participating sites be located "on route" in both the disadvantaged community (DAC)/rural and the non-DAC/rural subsegments of the program;
- Direct the Company to reallocate any funds remaining from the existing Business Charger Rebate program on December 31, 2024 into the non-DAC/rural subsegment of the proposed Business Charger Rebate program instead of allowing the utility to determine the reallocation of these funds at a later date;

- Adopt DTE’s proposal to take no further action related to the EV Fast Charger rate at this time;
- Decline to adopt either Staff witness Freeman’s or AG witness Coppola’s recommendations related to DTE’s Charging Forward budget, and approve DTE’s funding request in its entirety;
- Decline to adopt MNSC witness Jester’s recommendation that DTE prioritize Business Charger Rebate applicants receiving NEVI funding;
- Adopt Walmart witness Perry’s recommendation to remove the two-year limit on the exemption from the 1,000 kW demand restriction for EV charging stations in Rate Schedule D3; and
- Decline to adopt Walmart witness Perry’s recommendation that DTE be directed to propose a public EV charging-specific rate informed by data from the alternative COSS presented in this case, as well as future data, in its next rate case proceeding.

October 23, 2024

Respectfully submitted,



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PROOF OF SERVICE

On October 23, 2024, an electronic copy of **EVgo's Reply Brief** was served on the following via email:

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