

## Mini Guide on Transportation Electrification: State-Level Roles and Collaboration among Public Utility Commissions, State Energy Offices, and Departments of Transportation

*Prepared for the National Council on Electricity Policy (NCEP), administered by the National Association of Regulatory Utility Commissioners (NARUC) Center for Partnerships & Innovation (CPI)*

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**M**any states across the country have set ambitious electric vehicle adoption goals and are working to establish policies and programs to support transportation electrification. State Energy Offices, Public Utility Commissions (PUCs), and Departments of Transportation (DOTs), as well as State Environmental Agencies, Consumer Advocates, and other important state-level partners each have a unique and vital role to support electric vehicle (EV) rollout. Frequently, these agencies have been working together to coordinate EV infrastructure planning and design incentive programs, as well as launch ambitious policy and regulatory frameworks in the EV space.

Recent federal legislation, including the Infrastructure and Investment in Jobs Act (IIJA) and Inflation Reduction Act (IRA), has provided states with additional opportunities to advance transportation electrification efforts.<sup>1</sup> The IIJA will provide \$7.5 billion for investments in EV charging infrastructure; of the total, \$5 billion is dedicated to the National Electric Vehicle Infrastructure (NEVI) program that directs funds to state DOTs to build a network of EV chargers across the country. The remaining \$2.5 billion is set aside for the Discretionary Grant Program for Charging and Fueling Infrastructure in which states, localities, tribes, territories, and metropolitan planning organizations are eligible to apply for funding to support publicly accessible EV charging and alternate fuel infrastructure.

*The EV Master Plan is a notable example of a product that could not be completed without cross-agency collaboration. The purpose of the EV Master Plan was to create a plan for charging infrastructure across the state highway system. The DOT has expertise in state highways, unlike the other two agencies. The plan, however, required information regarding appropriate regulatory models for getting electricity to the charging stations, which is where the PSC was able to assist.*

*— Andrew Fay, Chairman of Florida PSC*

<sup>1</sup> A summary of vehicle electrification funding and related provisions is available at: U.S. Department of Energy Alternative Fuels Data Center, 2021, *Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act of 2021)*, <https://afdc.energy.gov/laws/infrastructure-investment-jobs-act>.

### About the NCEP Mini Guide Series

*The National Council on Electricity Policy (NCEP) is a platform for all state-level electricity decision makers to share and learn from diverse perspectives on the evolving electricity sector. The NCEP mini guide series promotes this dialogue by highlighting examples of successful engagement across its members. Each mini guide features collaborative approaches, lessons learned, and interviews with leading state and local decision makers.*

In addition, \$500 million in State Energy Program (SEP) funds through the IIJA are directed via formula to State Energy Offices to fund programs that, among other things, reduce greenhouse gas emissions in the transportation sector and accelerate the electrification of mass transit, state government vehicles, and privately-owned passenger, and medium-and heavy-duty vehicles. The IIJA also requires each state's PUC to consider amending rates to promote affordable and equitable EV charging, improve customer experience with EV charging, accelerate third-party investment in electric vehicle service equipment (EVSE), and recover marginal costs of electricity delivery to EVSE.<sup>2</sup>

While funding for IIJA EV programs is directed to different state agencies, collaboration among State DOTs, State Energy Offices, PUCs, and other stakeholders is vital to strategically plan and implement charging infrastructure and its use across the states.

## Overview of State Agency Roles

State PUCs, Energy Offices, and DOTs each play a unique role in supporting transportation electrification planning and adoption. The roles of each agency also vary across states.

### Public Utility Commissions (PUCs)

State PUCs are regulatory bodies mandated by state legislatures to oversee the rates and services of utilities—typically investor-owned utilities (IOUs) and, generally not consumer-owned utilities—to ensure that they are fair, just, and reasonable for all customers. PUCs regulate IOUs for services such as electricity, natural gas, telecommunications, and water. For electric utilities, this oversight includes the utility's involvement in transportation electrification, primarily regarding the siting and ownership of electric vehicle charging infrastructure connecting to the distribution grid and electric rate structures for vehicle charging. While EV charging stations provide for the sale of electricity, in most states, charging stations themselves are not subject to commission regulation as public utilities. Instead, PUCs are concerned with two primary questions:<sup>3</sup>

1. Who may own EV charging infrastructure?
2. What rate designs and other load management strategies are appropriate to mitigate EV's potential grid impacts and maximize potential grid benefits?

*We have a very good working relationship with both state agencies, DOT, and PSC. Our relationship with the PSC has gone back several years as many State Energy Office staff have previously worked for the PSC. Several years ago, the PSC completed a report on how EVs would impact the electric grid and included the Energy Office in their report and workshops. When the State Energy Office completed Florida's EV Roadmap in 2019, the PSC was also involved in the State Energy Office's workshops and conversations pertaining to the roadmap.*

— Kelley Smith Burk, Director, Florida State Energy Office

Questions around the ownership of EV charging infrastructure explore whether regulated utilities can own, operate, and/or provide make-ready infrastructure investments in charging infrastructure and are allowed to earn a rate of return on these investments. These decisions require PUCs to balance the interests of all stakeholders, taking into consideration concerns such as market transformation and competition, costs of installation, equity of siting locations, and integration of EV electricity load onto distribution grid infrastructure. The various ownership models for EV infrastructure are typically:<sup>4</sup>

- Full utility ownership and operation where the utility invests in both the make-ready components and the charger
- Make-ready, where the utility invests in infrastructure up to, but not including, the charging equipment (up to the meter)
- Disallowing utility ownership (with or without incentives for third-party infrastructure investments)

It is increasingly common for states to explore EV charging infrastructure investment strategies within PUC-designated stakeholder working groups or proceedings that review holistic utility transportation electrification plans.

As the adoption of EVs accelerate, utilities and their regulators not only need to ensure sufficient power supply availability, but also that distribution networks can accommodate the increased electricity demand from EV charging during key time periods. Intentional rate design will play a key role in leveraging existing grid assets and mitigating potential negative impacts by enabling charging flexibility to benefit both the grid and consumers. The principles that underlie EV rate design typically

2 Public Law 117-58. Synopsis available at: U.S. Department of Energy Alternative Fuels Data Center, 2021, *Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act of 2021)*, <https://afdc.energy.gov/laws/infrastructure-investment-jobs-act>.

3 Harper, C., McAndrews, G., and Sass Byrnett, D. NARUC, 2019, *Electric Vehicles: Key Trends, Issues, and Considerations for State Regulators*. <https://pubs.naruc.org/pub/32857459-0005-B8C5-95C6-1920829CABFE>

4 Ibid

encourage the efficient use of existing grid capacity to mitigate costly distribution system upgrades and avoid bill increases for non-participating customers due to EV infrastructure needs. Commissions often consider time-varying rates (e.g., time-of-use (TOU), real-time pricing (RTP), and managed charging) to support EV charging. It is becoming increasingly common to explore EV rate design options within distribution system planning, integrated distribution planning, or distributed energy resource (DER) planning processes overseen by commissions. State-designated consumer advocates are important stakeholders in these processes, among others.

*Policy work is a great example of the type of work the DOT can accomplish by working with the State Energy Office and the PSC. Understanding the roles and expertise of each agency is essential in policy work. The PSC can help with utility regulation and rates, whereas the State Energy Office can assist with education and outreach regarding EV programs. It is all about working together with the same goal in mind.*

— April Combs, Statewide Planning Coordinator, Florida DOT

## State Energy Offices

The 56 Governor-designated State and Territory Energy Offices often lead policy development related to electric vehicles and charging infrastructure, as well as planning and program implementation to invest in charging stations around the country and coordinate with the private sector. Their engagement in transportation electrification is in support of a range of state policies, including, but not limited to reducing transportation-related energy costs and emissions, expanding EV-related manufacturing for economic development and job growth, and ensuring multiple fueling options for consumers and businesses.

While each state's approach is tailored to its specific economic, geographic, and community needs, many State Energy Offices have developed roadmaps or statewide strategies to support transportation electrification, addressing use cases for charging, community needs and objectives for electrification, infrastructure investment recommendations, and strategies to engage consumers and enhance adoption of EVs. As the lead agency for state energy planning efforts, State Energy Offices often create their EV Roadmaps in the context of other state plans, such as comprehensive energy plans, and energy assurance and resiliency planning. In addition, State Energy Offices often lead stakeholder engagement activities in support EV planning and EV program implementation, convening EV working groups or advisory groups to inform policy and program development. Because State Energy Offices are at the fulcrum of energy policy development and stakeholder engagement, they often work closely with both regulated and unregulated utilities to explore options for enhancing electric system and grid readiness for widespread EV adoption.

Beyond planning, State Energy Offices play a vital role directly managing or supporting charging programs, partnering with other state agencies, electric service providers, and private developers and site hosts to support the growing EV industry. Most State Energy Offices administer state-led EV infrastructure programs, and either lead or work closely with their state's environment agency to inform EV infrastructure investment under the state's portion of the settlement of the Volkswagen Diesel Emissions Environmental Mitigation Trust. This coordination extends beyond state boundaries as well. Nationally, there are six state-led regional collaborations between State Energy Offices and partner agencies: the West Coast Electric Highway, REV West, REV Midwest, the Southeast Regional Electric Vehicle Information Exchange, the Transportation and Climate Initiative, and ZEV Task Force. In addition, State Energy Offices often develop and implement education and outreach activities to raise awareness of EVs and collaborate with their state's economic development agency to identify and promote EV-related workforce development opportunities.

## Departments of Transportation (DOTs)

State DOTs are state agencies that oversee programs and policies related to intermodal transportation networks. The purview of state DOTs can be vast: most are responsible for building, maintaining, and operating their state's roads, bridges, and tunnels. Additionally, the DOT can have oversight over programs affecting urban and rural public transportation, airports, railroads, ports, and waterways. In addition to managing multimodal infrastructure, state DOTs are charged with managing the safety and efficiency of the transportation systems.

In the past, a few state DOTs were tasked with creating statewide electrification plans or efforts to prepare for increased EV deployment. For most states, DOTs have played a supporting role in prior EV projects, with State Energy Offices taking the lead, for example, in joining the previously mentioned regional EV groups to learn from and collaborate with their regional partners.

Because NEVI funds will be distributed by the U.S. Department of Transportation (USDOT) to the state DOTs, the NEVI program represents an opportunity for state DOTs to take on a more substantial role in charging infrastructure deployment to fulfill the program goals within their respective states. The state DOTs have worked to stay informed on EV charging technology and pertinent information. DOTs have also created mapping tools to help determine ideal locations for corridor charging and are actively engaging with and soliciting input on their plans from a broad array of stakeholders. State DOTs were required to submit plans to USDOT by August 1, 2022, specifying infrastructure investments that will be made leveraging NEVI funds. Because NEVI funds will cover 80 percent of the project’s cost, states will need to explore additional funding options to cover the remaining cost (e.g., state matching funds designated by the legislature, funds already budgeted within state agencies, and utility/ratepayer investments approved by the PUC).

### State Environmental Agencies

While this report focuses on the roles of State Energy Offices, Public Utility Commissions, and State Departments of Transportation in EV planning and coordination, it is worth noting that State Environmental Agencies often play a unique leadership role in advancing transportation electrification. In states that have adopted California’s Clean Car Standards, the state air quality agencies are, in most cases, the regulatory agencies tasked with designing and implementing zero-emission vehicle regulations. In addition, in many states, the Environmental Agencies were the designated administrative lead for the state’s portion of the Volkswagen Settlement Environmental Mitigation Trust, and for the last five years have been funding EV infrastructure installations and EV replacements for medium- and heavy-duty vehicles within their state. In many states, the Environmental Agency works closely with their State Energy Office and other sister agencies to coordinate transportation electrification program development.

### Realizing the Benefits of Collaboration

To research this Mini Guide, the American Association of State Highway and Transportation Officials (AASHTO), National Association of State Energy Officials (NASEO), and National Association of Regulatory Utility Commissioners (NARUC) conducted interviews with the state DOT, State Energy Office, and PUC in three diverse and representative states: Florida, Utah, and Michigan. A few key themes emerged from the interviews: recognizing each agency’s strengths supports progress, formal and informal collaboration is valuable for each agency to meet its mission, and collaboratively engaging public and private sector stakeholders increases opportunities for a state to benefit from transportation electrification.

### Identify and Leverage Each Agencies’ Key Strengths and Gaps

State DOTs, PUCs, Energy Offices, and other stakeholders play unique roles in transportation electrification. Identifying the specific roles each agency and stakeholder play allows for smoother progress as agencies leverage relevant strengths among their partners.

Agency	Typical Responsibilities within Transportation Electrification
State Energy Office	<ul style="list-style-type: none"> <li>• Assist the Governors and Legislatures in developing EV policies and programs</li> <li>• Convene state agencies, private-sector infrastructure developers, and automakers to build consensus and identify opportunities</li> <li>• Create EV roadmaps</li> </ul>
Department of Transportation	<ul style="list-style-type: none"> <li>• Lead application for and disbursement of NEVI formula funds</li> <li>• Partner with State Energy Offices and other agencies on EV rollout</li> <li>• Contribute to regional EV committees</li> </ul>
Public Utility Commission	<ul style="list-style-type: none"> <li>• Oversee utility role in EV infrastructure siting and charger ownership</li> <li>• Approve or deny utility investments to support EV deployment</li> <li>• Determine rate designs and other load management strategies for EV charging</li> </ul>

DOTs have vast knowledge and expertise in transportation planning as it pertains to traditional transportation infrastructure: roads, bridges, gas-powered cars, trucks, freights, etc. State Energy Offices have extensive experience with building coalitions and engaging key partners across the energy sector to support energy planning activities broadly and EV infrastructure planning and deployment specifically. The DOTs can lean on the State Energy Offices to fill knowledge gaps related to the EV industry, including

how funding mechanisms (e.g., VW settlement funds) have been used in the past. Similarly, State Energy Offices can rely on State DOT's transportation planning and modeling expertise to ensure that transportation and siting considerations are addressed during federal EV infrastructure investment decisions.

PUCs set the regulatory frameworks for utilities to follow when evaluating electric grid needs and making upgrades. EV-friendly rate structures have been flagged in many states as essential tools needed to encourage EV adoption. Moreover, regulatory action is often needed to ensure that private sector actors can compete in the EV infrastructure market (e.g., by ruling that EV charging station providers should not be regulated as utilities). PUCs are the states' decision makers when it comes to customer rates, utility business models, and other utility investment decisions for investor-owned utilities that influence EV charging. PUC processes gather information from diverse stakeholder interests to consider the impacts of new tariffs, rate designs, and performance metrics associated with EV charging infrastructure and EV adoption. State Energy Offices and State DOTs, with significant implementation experience in this space, can provide valuable and impartial information to their PUCs to aid in their regulatory decision-making process.

*Cross-agency collaboration works best when agencies and stakeholders meet regularly to discuss issues and project updates. It is important to be proactive and organized about collaboration and keep all stakeholders informed. Bringing multiple agencies into the same meeting is beneficial in keeping all stakeholders engaged and up to speed on projects, programs, and policies.*

— Tremain Phillips, Commissioner, Michigan PSC

### **Formal Collaboration is Necessary and Worthwhile**

Formal collaboration was mentioned as an essential tool in cross-agency communication. Strategies that foster formal and worthwhile collaboration across agencies include creating joint offices that convene leaders across government and the private sector, establishing lead agencies to direct projects and stakeholders, and implementing directives from Executive Orders or legislation.

While formal collaboration between commissions and agencies has historically been infrequent, in recent years the deployment of EV infrastructure has prompted the need for enhanced discussion between agencies. For example, Michigan has created new offices, positions, and frameworks to coordinate EV programs across agencies. [The Office of Future Mobility and Electrification \(OFME\)](#) was created in 2020 to increase mobility investment in Michigan. The OFME works across state government agencies, academia, and the private sector to accelerate EV adoption, expand smart infrastructure, enable the mobility workforce, and bolster EV manufacturing in the state. For NEVI planning, Michigan's DOT is the appointed agency to head the plan, while the PUC is overseeing and advising on electric grid upgrades to support EV charging, and the Michigan Department of Environment, Great Lakes, and Energy (the State Energy Office) is working on data models for program implementation.

Florida created an EV master plan that outlines steps for investing in charging infrastructure across the state's highway system. While the Florida DOT is the lead agency overseeing the EV master plan, the Florida Department of Agriculture and Consumer Service's Office of Energy (the State Energy Office) and the Public Service Commission (PSC) were named in statute as key partners to engage during plan development. During plan development in 2019, the Florida DOT met with the State Energy Office and the PSC regularly to discuss details of the plan and coordinate on energy-specific items.

In Utah, the state legislature required collaboration on the creation of an EV Charging Network Plan. Utah DOT and Utah's Governor's Office of Energy Development (the State Energy Office) worked together on the EV Charging Network Plan and recommended the creation of an EV Steering Committee that convened a broader range of stakeholders. The legislative directive of the EV Charging Network Plan established the starting point for cross-agency collaboration, including setting goals, discussing how funds are spent, and what specific roles agencies will play in future transportation electrification in the state.

### **Informal Engagement Can Be a Valuable Supplement to Formal Collaboration**

Establishing and maintaining a connection with an individual at a sister agency provides for quick access to stay informed on an agency's goals or priorities. As mentioned above, the creation of Utah's EV Charging Network Plan established an extensive partnership between Utah's State Energy Office and DOT. Prior to plan rollout, agencies in Utah were collaborating on EV infrastructure investment through the Volkswagen (VW) Settlement. Utah's State Energy Office worked closely with the Utah Department of Environmental Quality—the agency responsible for VW program rollout in the state—to inform the design of



EV charging programs funded with VW dollars. The formal collaboration established under the VW Settlement created the foundation for informal engagement that continues and supports each agency’s coordination and effectiveness.

In addition, Utah’s State Energy Office and PSC have a long history of informal and frequent communication on energy policy and regulatory issues. Although the Utah DOT and State Energy Office are allowed to intervene in PSC processes, both agencies more often participate in meetings to provide informal input. This level of informal communication allows agencies to communicate and collaborate when appropriate and when it aligns with their area of expertise.

Michigan’s agencies also have a strong history of informal collaboration, with the Michigan State Energy Office noting the importance of building solid relationships with someone in each agency or Governor’s office.

*Florida created an energy equity plan that has helped integrate equity in transportation electrification planning and implementation. It would be beneficial to include workforce innovation in EV planning to address equity in disadvantaged communities. It will be vital to build a skilled workforce in rural and disadvantaged communities to support EV infrastructure installation and repairs, so EV drivers do not have to drive long distances to seek assistance.*

— Tony Morgan, Deputy Director, Florida State Energy Office

### **Include Additional Public and Private Sector Stakeholders to Increase Benefits**

Engaging with multiple stakeholders like other government agencies, community groups, manufacturers, workforce boards, and the private sector is necessary to ensure equitable and holistic EV program design and implementation. Each agency and its leaders have various sets of relationships with other state, local, and regional entities, and stakeholders. By working together to determine who to reach out to when developing and implementing EV plans, states can tap into broader networks of groups and individuals with valuable insights to contribute. States can also reduce “meeting fatigue” by making sure each agency is not tapping the same key people for separate and duplicative engagements.

The benefits of transportation electrification are relevant to many government agencies and entities. By engaging with a broad range of stakeholders, multiple perspectives are included in the conversation, which amplifies the multitude of transportation electrification benefits, including improving human health, advancing equity, spurring economic development, and increasing electrical system affordability.

*We have a strong relationship with state agencies regarding mobility and electrification. We have a partnership between the Energy Office, DOT, and PSC, and are all actively involved in mobility and transportation issues, particularly as it pertains to NEVI plans and the Federal Highway Administrations request for comments. We are working jointly to write comments on behalf of the state of Michigan to address concerns shared by all agencies. Regarding the completion of the NEVI plan, each agency plays a role in the coordination of the plan.*

— Robert Jackson, Assistant Division Director, Michigan Department of Environment, Great Lakes, and Energy

In Michigan, the Department of Environment, Great Lakes, and Energy, the Michigan Department of Labor, the Office of Future Mobility and Electrification (OFME), the DOT, and Public Utility Commission (PUC) have been working closely on the rollout of the Lake Michigan EV Circuit plan. Working with a broad range of stakeholders has allowed agencies to divide up tasks and receive input based on each group’s expertise. For example, in the NEVI planning process the OFME is handling the policy issues related to the plan and coordinating with relevant stakeholders like utilities, charging companies, manufacturers, site owners, etc., and the PUC is overseeing and advising on utility electric grid upgrades as it pertains to supporting EV charging. The State Energy Office is playing a significant role in connecting economic development with transportation electrification, focused on ensuring Michigan businesses—particularly those located in underserved communities—are competitive in the marketplace and that they have a share in the buildout of EV charging networks.

Engaging multiple stakeholders is also beneficial for workforce development. The growing EV industry will require a robust workforce trained to install EV chargers, as well as maintain and repair equipment. Coordinating with DOTs, State Energy Offices,

PUCs, and local communities, as well as chambers of commerce, economic development boards, universities, and others, will be essential in building an innovative workforce that can meet the demands of the EV industry, particularly in rural and disadvantaged communities.

In Florida, the State DOT and State Energy Office are working to expand EV charging access to all users through their transportation electrification plans by emphasizing the many co-benefits of EVs. The first co-benefit the state is highlighting is the improvement in air quality. By increasing the number of electric vehicles on the road, air quality is improving for all Floridians, particularly communities most impacted by poor air quality. In addition, overall emissions from the transportation sector are decreasing, partially due to the increased access to alternative fuels and electric vehicles. Workforce development is another co-benefit Florida is focusing on through their EV plans. The state is collaborating with community colleges and certification programs to train individuals from a variety of backgrounds and skill sets. The agencies, as part of their plans, are also looking at ways that EV deployment will enhance Florida's overall transportation system, including roadways within rural and disadvantaged communities.

## Regional Collaboration

Regional collaboration among bordering states is also an effective strategy to plan EV infrastructure. As mentioned above, the Michigan Department of Environment, Great Lakes, and Energy is working on a Lake Michigan EV Circuit plan with multiple agencies in their state, as well as bordering states Wisconsin, Illinois, and Indiana. Coordinating with neighboring states has allowed Michigan to plan EV chargers along routes that intersect state borders. For example, U.S. Route 2 in the upper peninsula serves a sizeable portion of both Michigan and Wisconsin, thus both states agreed to nominate Route 2 as an alternative fuel corridor to ensure EV infrastructure can support EV drivers and tourism in the region.

Regional collaboration can also be helpful in planning EV infrastructure for emergency scenarios. For example, in the event of a natural disaster like a hurricane or major flooding, neighboring states can coordinate EV infrastructure planning along borders to support drivers across state lines that may experience power outages. Florida, for example, is working across agencies and with other states in the region through the Southeast Regional Electric Vehicle Information Exchange (SE REVI) to support EV infrastructure rollout in the Southeast. SE REVI has developed a shared EV infrastructure map to assist with regional planning which, among other things, includes data on evacuation routes to enable EV infrastructure planning along key corridors during emergencies.

Regional collaboration can also include inter-agency collaboration focused on economic development in the transportation sector. Eight states in the Intermountain West, including Utah, signed the Regional Electric Vehicle Plan for the West (REV West) Memorandum of Understanding to coordinate across state lines on EV infrastructure deployment with the goal of facilitating regional EV travel and tourism. Utah's State Energy Office and Utah DOT have worked together through the REV West collaboration to inform region-wide action on EV infrastructure rollout (e.g., through developing a region-wide EV infrastructure map and by providing joint comments in response to various federal solicitations). The relationship created through coordination on REV West helped establish a mutual level of trust between agencies and has fostered more frequent collaboration and a continued dialogue that has been instrumental in both state and regional EV planning.

## Conclusion

State agencies play a significant role in supporting transportation electrification across the country. Both formal and informal collaboration is an essential tool in ensuring State Energy Offices, State DOTs, and State Public Utility Commissions work together to build-out strategic EV infrastructure within their state. Identifying each agency's responsibility and area of expertise is imperative in organizing the varying phases of transportation electrification planning and implementation. By working collaboratively across all relevant areas of expertise, states can anticipate and handle the unprecedented opportunities and challenges associated with developing entirely new infrastructure at the intersection of energy, transportation, and the grid. The recent passage of the IIJA and the Inflation Reduction Act has created a historic moment for states to advance transportation electrification, and state agencies have the opportunity to engage with a broad range of stakeholders to build an equitable, reliable, and accessible national EV charging network.

## Mini Guide Examples

To illuminate how these relationships work in practice, the following section presents condensed excerpts from interviews with state DOTs, State Energy Offices, and PUCs from three states: Florida, Michigan, and Utah.

**Table 1. Mini Guide Interviews**

Name	Position	Organization	Organization Type
April Combs	Statewide Planning Coordinator	Florida Department of Transportation	State Department of Transportation
Andrew Fay	Chairman	Florida Public Service Commission	State Public Service Commission
Judd Herzer	Strategic Policy Director	Michigan Department of Labor & Economic Opportunity	State Labor Office
Robert Jackson	Assistant Division Director	Michigan Department of Environment, Great Lakes, and Energy	State Energy Office
Thad LeVar	Chairman	Utah Public Service Commission	State Public Service Commission
Lyle McMillan	Strategic Investments Director	Utah Department of Transportation	State Department of Transportation
Tony Morgan	Deputy Director	Office of Energy, Florida Department of Agriculture and Consumer Services	State Energy Office
Tremaine Phillips	Commissioner	Michigan Public Service Commission	State Public Service Commission
Kelley Smith Burk	Director	Office of Energy, Florida Department of Agriculture and Consumer Services	State Energy Office
Bailey Toolson	State Energy Program Manager	Utah Office of Energy Development	State Energy Office

*Each person interviewed expressed his or her own opinions. Inclusion in this document does not indicate an author's or organization's endorsement of any statement or suggestion.*

## Florida


*The following text is an abridged transcript of interviews conducted with Kelley Smith Burk, Director of the Florida Department of Agriculture and Consumer Services Office of Energy (State Energy Office); Tony Morgan, Deputy Director of Florida's Office of Energy; April Combs, Statewide Planning Coordinator for the Florida Department of Transportation; and Hon. Andrew Fay, Chairman of the Florida Public Service Commission.*

### Can you share some examples of the working relationship between the Florida Energy Office, Florida DOT, and the Florida PSC?

**Kelley Smith Burk, Director, Florida State Energy Office:** We have a very good working relationship with both state agencies, DOT, and PSC. Our relationship with the PSC has gone back several years as many State Energy Office staff have previously worked for the PSC. Several years ago, the PSC completed a report on how EVs would impact the electric grid and included the Energy Office in their report and workshops. When the State Energy Office completed Florida's EV Roadmap in 2019, the PSC was also involved in the State Energy Office's workshops and conversations pertaining to the roadmap.

**Tony Morgan, Deputy Director, Florida State Energy Office:** The relationship between FDOT and the State Energy Office has grown in the last several years. Starting in 2018, FDOT began reaching out to the State Energy Office for assistance with





transportation electrification planning since the State Energy Office had experience working in the EV space. FDOT has also included the State Energy Office in their working groups and workshops. April Combs, Florida Department of Transportation, previously worked for the State Energy Office so she has provided valuable communication between the State Energy Office and FDOT on the work both agencies are doing with EVs.

**April Combs, Statewide Planning Coordinator, Florida DOT:** We have a great working relationship with the State Energy Office and the PSC. We have never established a formal relationship through an MOU, but we have been working together on projects for decades. We have had alternative fuels in Florida for quite some time, and each entity shares a responsibility for alternative fuels' programs and EV projects. With EV projects, there has been a great deal of inter-agency communication and engagement with multiple stakeholders. EV projects affect a broad range of stakeholders, so it is important to hear the perspectives of all parties involved in EV infrastructure coordination.

**Andrew Fay, Chairman of Florida PSC:** We have several avenues of communication between agencies, and it is primarily informal relationships. Historically, we have been able to easily reach out to both the State Energy Office and DOT if we have questions or need someone to point us in the right direction on a particular issue. An example of collaboration between agencies is through Florida's EV Master Plan. The DOT was the lead agency on the EV Master Plan, but PSC staff consistently met with them and contributed to the text of the EV Master Plan. During the development of the report, DOT facilitated meetings that brought together the PSC, the Energy Office, and stakeholders from the industry.

### **Can you share examples of projects that you have been able to complete with the other two agencies that you would not have been able to accomplish on your own?**

**Kelley Smith Burk:** Together we can accomplish much more. The PSC plays a significant role in transportation electrification planning because they have the knowledge and expertise of regulating utilities, and they understand the process of updating critical grid infrastructure like transformers and transmission lines. The State Energy Office has expertise as it pertains to utility engagement and grid infrastructure modernization, in addition to comprehensive energy planning. The State Energy Office and PSC can then work with Florida's DOT to ensure that electric system considerations are adequately addressed when planning for and investing in EV charging.

**April Combs:** Policy work is a great example of the type of work the DOT can accomplish by working with the State Energy Office and the PSC. Understanding the roles and expertise of each agency is essential in policy work. The PSC can help with utility regulation and rates, whereas the State Energy Office can assist with education and outreach regarding EV programs. It is all about working together with the same goal in mind.

**Andrew Fay:** The EV Master Plan is a notable example of a product that could not be completed without cross-agency collaboration. The purpose of the EV Master Plan was to create a plan for charging infrastructure across the state highway system. The DOT has expertise in state highways, unlike the other two agencies. The plan, however, required information regarding appropriate regulatory models for getting electricity to the charging stations, which is where the PSC was able to assist.

### **What is Florida doing to address equity in transportation, and what are the various roles of each of the state agencies in addressing those issues?**

**Tony Morgan:** Florida created an energy equity plan that has helped integrate equity in transportation electrification planning and implementation. It would be beneficial to include workforce innovation in EV planning to address equity in disadvantaged communities. It will be vital to build a skilled workforce in rural and disadvantaged communities to support EV infrastructure installation and repairs, so EV drivers do not have to drive long distances to seek assistance. The municipalities are also examining workforce development from a mass transit perspective and have previously included workforce development in their equity workshops. Working with municipalities and other state agencies can help address workforce development challenges and equity concerns.

### **Can you share any advice for a new commissioner coming into your role and anything they might need to know about transportation electrification in Florida?**

**Andrew Fay:** The structure of the Florida PSC is such that our jurisdiction covers an estimated 17 million people. Because Florida's regions are all vastly different, it is important to take a "holistic Florida" approach when making decisions. It is also important to stay up to speed with emerging technologies, events impacting the state, and what is happening in other agencies as it pertains to transportation electrification.

## Michigan

*The following text is an abridged transcript of interviews conducted with Robert Jackson, Assistant Division Director for Michigan Department of Environment, Great Lakes, and Energy; Judd Herzer, Strategic Policy Director for Michigan Department of Labor & Economic Opportunity; and Hon. Tremaine Phillips, Commissioner at the Michigan Public Service Commission.*

### Can you share some examples of the working relationship between the Michigan Energy Office, Michigan DOT, and the Michigan PSC?

**Robert Jackson, Assistant Division Director, Michigan Department of Environment, Great Lakes, and Energy:** We have a strong relationship with state agencies regarding mobility and electrification. We have a partnership between the Energy Office, DOT, and PSC, and are all actively involved in mobility and transportation issues, particularly as it pertains to NEVI plans and the Federal Highway Administrations request for comments. We are working jointly to write comments on behalf of the state of Michigan to address concerns shared by all agencies. Regarding the completion of the NEVI plan, each agency plays a role in the coordination of the plan. For example, the DOT is the appointed agency for the plan, the PSC oversees the electric grid components of the plan, and the Energy Office is responsible for the modeling and program implementation.

**Tremaine Phillips, Commissioner, Michigan PSC:** Over the past two years, the State of Michigan has kicked off several mobility initiatives that have brought the PSC closer to working with agencies throughout state government. In 2020, the Governor established an Office of Future Mobility and Electrification to focus on mobility and transportation electrification within the state. The Governor also established a Council on Future Mobility and Electrification that is comprised of various agency heads throughout the state that have an interest or regulatory or fiscal responsibilities related to vehicle electrification and mobility issues. The Council also consists of auto manufacturers like Ford, GM, and Rivian. I am the representative from the PSC on the Council, so I work alongside automakers, state agencies, and the Office of Future Mobility and Electrification to strategize transportation electrification programs and policies in the state.

### What are some lessons you have learned in working with other agencies on transportation electrification issues?

**Judd Herzer, Strategic Policy Director, Michigan Department of Labor & Economic Opportunity:** When working with multiple agencies, it is important to manage the expectations and perspectives of each agency. Each agency has a unique perspective and set of interests as it pertains to transportation electrification. It is important for agencies to listen to the perspectives of all stakeholders when making decisions, especially if it runs counter to the default opinion of an agency.

### Can you share an example of activities that are enabled by cross-agency collaboration?

**Tremaine Phillips:** Cross-agency collaboration works best when agencies and stakeholders meet regularly to discuss issues and project updates. It is important to be proactive and organized about collaboration and keep all stakeholders informed. Bringing multiple agencies into the same meeting is beneficial in keeping all stakeholders engaged and up to speed on projects, programs, and policies.

### What is Michigan doing to address equity in transportation, and what are the various roles of each of the state agencies in addressing those issues?

**Robert Jackson:** The State Energy Office is coordinating with the Office of Future Mobility and Electrification on mapping out mobility needs in the state. The Energy Office also has an agreement with the World Renew Church Christian Reform to implement energy efficiency and renewable energy in 10 houses of worship within Michigan. The work addresses energy efficiency and providing solar access to low-income families. We are looking to add another component to the program that incorporates EVs and vehicle to grid technologies. We are also working with other agencies to incorporate mobility into other projects that can better serve disadvantaged communities.

**Judd Herzer:** There is an opportunity with EV infrastructure planning to provide economic opportunities and workforce development in disadvantaged communities. By working across multiple agencies (DOT, State Energy Office, and PSC), the state can develop economic and workforce opportunities that expand transportation electrification and benefit disadvantaged communities.

## Utah

*The following text is an abridged version of interviews conducted with Bailey Toolson, State Energy Program Manager for the Utah Office of Energy Development; Lyle McMillan, Strategic Investments Director with the Utah DOT; and Hon. Thad LeVar, Chairman of the Utah PSC.*

### Can you describe the working relationship between the Utah Energy Office, Utah DOT, and PSC?

**Bailey Toolson, State Energy Program Manager, Utah Office of Energy Development:** The State Energy Office has been meeting frequently with the DOT to put together the NEVI plan. In January 2022, the Governor put together a state-wide EV steering committee, and the State Energy Office and DOT have been the lead agencies of the group. As far as working with the PSC, the Executive Director of the Energy Office and other Energy Office officials work closely with the PSC on other energy related issues.

**Lyle McMillan, Strategic Investments Director, Utah DOT:** We started working closely with the State Energy Office through the VW Settlement Fund Program. The State Energy Office's role in the VW Settlement Program was to be the conduit between the energy providers and the policymakers to advocate for additional funding from the state legislature. The DOT and the Energy Office worked together for years to advocate for funding from the legislature and was able to get funding this previous legislative session. This collaboration helped lay the groundwork for a strong working relationship for NEVI planning.

**Thad LeVar, Chairman, Utah PSC:** We collaborate with the DOT on an ad hoc basis, but as it pertains to transportation electrification, we have provided some input. We have been involved with EV infrastructure planning as it relates to utility regulations. The DOT was asked to provide input on the PSC process for ratepayer funding and design. The PSC has a working relationship with the State Energy Office as they take the lead on policy issues and stakeholder outreach.

### Can you share an example of activities that are enabled by cross-agency collaboration?

**Bailey Toolson:** The Utah legislature ordered the DOT to put together a state-wide EV planning document. The document enabled state agencies to collaborate on EV infrastructure planning. The state-wide EV plan helped create a foundation for cross-agency collaboration for the NEVI plan.

### What is Utah doing to address equity in transportation, and what are the various roles of each of the state agencies in addressing those issues?

**Thad LeVar:** In the EV development plan, the main transportation corridors are obvious and intuitive in Utah, however, getting access to rural communities is more of a challenge. Placing emphasis on dispersing chargers and resources in rural communities will be a priority in addressing equity in transportation electrification. Each of the agencies has a role to play in making that happen.

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### About the National Council on Electricity Policy

The National Council on Electricity Policy (NCEP) is a platform for all state-level electricity decision makers to share and learn from diverse perspectives on the evolving electricity sector. Our community

includes over 200 representatives from public utility commissions, air and environmental regulatory agencies, governors' staffs and state energy offices, legislatures, and consumer advocates. We are an affiliate of the National Association of Regulatory Utility Commissioners (NARUC) Center for Partnerships and Innovation (CPI).

NCEP serves as a forum for collaboration around grid-related topics at state, regional, and national levels, offering a unique opportunity for state electricity decision makers throughout the country to examine the ways new technologies, policies, regulations, and markets impact state resources and the bulk power system.

NCEP facilitates an annual meeting, connections to virtual resources, and ongoing learning opportunities for members to explore multiple perspectives on complex electricity system issues.



## NARUC

National Association of Regulatory Utility Commissioners

### About the NARUC Center for Partnerships & Innovation

The NARUC Center for Partnerships & Innovation (CPI) identifies emerging challenges and connects state utility commissions with expertise and strategies to navigate complex decision-making. We accomplish this goal by building relationships, developing resources, and delivering training that provides answers to state commissioners' questions. CPI works across four key areas on a wide range of projects: energy infrastructure modernization; electricity system transition; critical infrastructure, cybersecurity, resilience; and emerging issues. CPI is funded by cooperative agreements with the U.S. Department of Energy (DOE), the U.S. Department of Commerce's National Institute of Standards and Technology (NIST), and charitable sources.



### About the National Association of State Energy Officials

NASEO is the only national non-profit association for the governor designated energy officials from each of the 56 states and territories.

Formed by the states in 1986, NASEO facilitates peer learning among state energy officials, serves as a resource for and about state energy offices, and advocates the interests of the state energy offices to Congress and federal agencies.



### About the American Association of State Highway and Transportation Officials

AASHTO is a nonprofit, nonpartisan association

representing highway and transportation departments in the 50 states, the District of Columbia, and Puerto Rico. It represents all transportation modes including air, highways, public transportation, active transportation, rail, and water. Its primary goal is to foster the development, operation, and maintenance of an integrated national transportation system.

AASHTO works to educate the public and key decision makers about the critical role that transportation plays in securing a good quality of life and sound economy for our nation. AASHTO serves as a liaison between state departments of transportation and the Federal government. AASHTO is an international leader in setting technical standards for all phases of highway system development. Standards are issued for design, construction of highways and bridges, materials, and many other technical areas.