

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to direct the State Corporation Commission to recommend policy proposals to accelerate*
3 *transportation electrification in the Commonwealth; report.*

4 [H 2282]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1.** *§ 1. It is the policy of the Commonwealth that transportation electrification will reduce dependence*
8 *on petroleum, improve air quality and public health, reduce vehicle fueling costs, and reduce emissions*
9 *of greenhouse gases from the transportation sector. To achieve these goals, among other steps, it is*
10 *necessary to ensure there is adequate electric vehicle charging infrastructure deployed throughout the*
11 *Commonwealth. It is further the policy of the Commonwealth to promote, to the greatest extent possible,*
12 *private competition and investment in transportation electrification and to enable public utilities and the*
13 *public sector to complement such private investment where most effective.*

14 *Therefore, the State Corporation Commission (Commission) shall submit a report to the General*
15 *Assembly, no later than May 1, 2022, recommending policy proposals that could govern public electric*
16 *utility programs to accelerate widespread transportation electrification in the Commonwealth. To guide*
17 *policy proposal development, the Commission shall utilize a public process, in which the Commission,*
18 *the Department of Environmental Quality, the Department of Mines, Minerals and Energy, the*
19 *Department of Transportation, and appropriate stakeholders shall participate. The Commission shall*
20 *identify and retain a third-party facilitator with expertise in transportation electrification to facilitate*
21 *such public process.*

22 *In developing its policy recommendations, the Commission shall evaluate, among other things:*

23 *1. Areas where utility or other public investment may best complement private efforts to effectively*
24 *deploy charging infrastructure, with particular focus on low-income, minority, and rural communities;*

25 *2. How smart growth policies can complement and enhance the Commonwealth's transportation*
26 *electrification goals; and*

27 *3. How utility programs, investments, or incentives to customers or third parties to facilitate the*
28 *deployment of charging infrastructure and related upgrades can support or enhance (i) statewide*
29 *transportation electrification, including electrification of public transit; (ii) the electrification of*
30 *medium-duty and heavy-duty vehicles, school buses, vehicles at ports and airports, personal vehicles,*
31 *and vehicle fleets; (iii) increased access to electric transportation and improved air quality in*
32 *low-income and medium-income communities; (iv) achievement of the energy storage targets established*
33 *in subsection E of § 56-585.5 of the Code of Virginia; (v) improvements to the distribution grid or to*
34 *specific sites necessary to accommodate charging infrastructure; and (vi) customer education and*
35 *outreach programs that increase awareness of such programs and the benefits of transportation*
36 *electrification.*

37 *The report shall also address whether and how transportation electrification can, under current law:*

38 *a. Reduce total ratepayer rates and costs;*

39 *b. Assist in grid management and more efficient use of the grid, in a manner that does not increase*
40 *peak demand, through time-of-use rates, managed charging programs, vehicle-to-grid programs, or*
41 *other alternative rate designs;*

42 *c. Utilize increased generation from renewable energy resources; and*

43 *d. Reduce fueling costs for vehicles.*

44 *To the extent that the Commission and stakeholders conclude that transportation electrification*
45 *cannot currently deliver these benefits, then the report shall include recommendations on how public*
46 *policy can change in order to do so.*

47 **§ 2.** *Beginning July 1, 2021, any approved costs of any investor-owned electric utility associated with*
48 *investment in transportation electrification, other than those costs approved prior to July 1, 2021, shall*
49 *be recovered only through the utility's rates for generation and distribution, shall not be recovered*
50 *through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 of the Code of Virginia, and*
51 *shall not be eligible for a customer credit reinvestment offset pursuant to subdivision A 8 d of*
52 *§ 56-585.1 of the Code of Virginia. To the extent that the provisions of this act are inconsistent with the*
53 *provisions of § 56-585.1 of the Code of Virginia, the provisions of this act shall control.*