

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

IN THE MATTER OF:

ELECTRONIC APPLICATION OF)	
LOUISVILLE GAS AND ELECTRIC)	
COMPANY FOR AN ADJUSTMENT OF ITS)	
ELECTRIC RATES, A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY)	
TO DEPLOY ADVANCED METERING)	CASE NO. 2020-00350
INFRASTRUCTURE, APPROVAL OF)	
CERTAIN REGULATORY AND)	
ACCOUNTING TREATMENT, AND)	
ESTABLISHMENT OF A ONE-YEAR)	
SURCREDIT)	

CHARGEPOINT, INC.’S MOTION TO INTERVENE

Pursuant to 807 KAR 5:001, Section 4(11), KRS 278.310, and KRS 278.040(2), ChargePoint, Inc. (“ChargePoint”) timely moves and requests that it be granted full intervenor status in the above captioned proceeding. In support of its motion, ChargePoint states:

1. ChargePoint moves and seeks to participate in the captioned matter to the fullest extent allowed so that its direct and substantial interests in the matter may be fully presented to the Commission for consideration. Though ChargePoint sincerely believes that this is best accomplished through its participation as party, ChargePoint recognizes that the Commission may ultimately conclude otherwise based on the particular standards applicable to adding parties. Accordingly, and as further explained below, ChargePoint brings this motion primarily out of an abundance of procedural caution so as to preserve its right to comment and participate as a non-party in the proceeding under the Commission’s rules.

2. As the Commission knows, 807 KAR 5:001, Section 4(11)(a)(1) requires that a person requesting to intervene as a party in a Commission matter must do so by timely motion, showing either a special interest in the case that is not otherwise adequately represented or that intervention is likely to present issues or develop facts that assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. *See* 807 KAR 5:001, Sections 4(11)(a)-(b). The Commission has broad discretion to grant leave to intervene when interests in “rates and service of utilities” are presented. *See* KRS 278.040(2).

3. However, where the Commission does not grant leave to intervene, that person may still participate by filing written comments regarding the subject matter of the proceeding. *See* 807 KAR 5:001, Section 4(11)(e).

4. Because the language of 807 KAR 5:001, Section 4(11)(e) might suggest that a request to intervene is a precondition to having an ongoing right to comment as a non-party, ChargePoint here moves primarily to preserve its right and to notify the Commission of its intent to comment and participate, at the very least, as a non-party.

5. For the Commission’s awareness, ChargePoint’s motion and discussion of its plans to participate under 807 KAR 5:001, Section 4(11), whether as a party or non-party, are further informed by the Commission’s previous order of October 14, 2019, in Case No. 2019-00 (hereinafter, the “Order,” attached hereto as Exhibit A). In the Order, the Commission, though denying ChargePoint’s request to intervene in that matter, affirmed that ChargePoint would have “ample opportunity” to participate by filing comments and by attending and presenting comments at a public hearing.

6. For the Commission's further consideration, ChargePoint is a Delaware corporation with corporate headquarters in California.¹ ChargePoint is one of the world's largest electric vehicle (EV) charging networks, with scalable solutions for charging at home, work, around town, and on the road. ChargePoint's network offers more than 120,000 places to charge, including more than 200 spots in Kentucky, and those numbers continue to grow. With customers that include workplaces, cities, retailers, apartments, hospitals, and fleets, ChargePoint provides an integrated experience enabling consistent performance, efficiency and reliability at every touchpoint whether one is using a mobile app, plugging into a charger, managing the station or analyzing charging data. On the network, drivers have completed more than 84 million charging sessions, saved upwards of 12 million gallons of fuel, and driven more than 2.5 billion electric miles. ChargePoint is an industry leader in networked charging stations and regularly participates in proceedings before utility commissions across the U.S.

7. Based on the issues in this proceeding, ChargePoint has a direct and substantial interest in the matter's outcome. ChargePoint's position and market presence within Kentucky relates directly to the Louisville Gas and Electric Company's proposal. ChargePoint has substantial and specific economic interests in the sustainable and scalable growth of EV charging infrastructure within Kentucky and the utility infrastructure supporting it. ChargePoint further sells electric vehicle charging equipment and services directly to consumers in Kentucky.

8. ChargePoint has timely filed its motion to intervene in this proceeding.

9. ChargePoint's interest is not adequately represented by others. ChargePoint

¹ More precisely, 254 East Hacienda, Ave. Campbell, California, 95008.

will present issues and develop facts to assist the Commission in fully considering the matters at hand. ChargePoint will have a constructive role in the proceeding.

10. All correspondence related should be addressed to the undersigned counsel, who is authorized to represent ChargePoint.

11. In the event the Commission denies the request to intervene, per 807 KAR 5:001, Section 4(11)(e), ChargePoint intends to participate in the matter as a non-party to fullest extent allowed under the rules, and reserves the right to submit written or oral comments in connection with this proceeding.

WHEREFORE, based on the foregoing, ChargePoint respectfully requests that the Commission allow it to intervene in this proceeding.

Respectfully submitted, this 23rd day of December, 2020.



By: _____

Thomas M. Hancock, Esquire
(KY Bar No. 97428)

**NELSON MULLINS RILEY & SCARBOROUGH
LLP**

949 Third Avenue, Suite 200

Huntington, West Virginia 25701

Telephone: (304) 526-3500

Facsimile: (304) 526-3599

tom.hancock@nelsonmullins.com

COUNSEL FOR CHARGEPOINT, INC.

CERTIFICATE OF SERVICE

The undersigned attorney for ChargePoint, Inc. hereby certifies that he transmitted Petition to Intervene to the Commission for electronic service upon the parties of record in this proceeding by electronic mail and that there are no parties excused from participation by electronic means, and that an original and one copy of the filing in paper will be delivered to the Commission within two (2) business days.

This 23rd day of December, 2020.

A handwritten signature in blue ink that reads "Tom Hancock". The signature is written in a cursive, flowing style.

Thomas M. Hancock, Esq.