



June 17, 2021

The Honorable Joseph Bellino, Chair  
House Committee on Energy  
Anderson House Office Building  
124 North Capitol Avenue  
Lansing, MI 48933

RE: Substitute House Bill Numbers 4801 H1 and 4802 H1

Dear Chair Bellino:

Thank you for the opportunity to provide testimony on House Bills 4801 and 4802 in the substitute version before you on behalf of Greenlots. I appreciate that the Committee is focused on opportunities to advance and improve the EV charging landscape in Michigan. Greenlots also appreciates the work that has been done on these bills over the last legislative session. Unfortunately, we believe that the current substitute version of 4801 includes some major barriers for the EV charging industry broadly, and would impose an unreasonable burden on the large and small businesses, cities, and other organizations providing EV charging services.

Greenlots is a leading provider of electric vehicle (EV) charging software and services, and a wholly owned subsidiary of Shell Nw Energies US, recently rebranded as Shell Renewables and Energy Solutions. The Greenlots network supports a significant percentage of the direct current fast charging (DCFC) infrastructure in North America and an increasing number of Level 2 chargers. In Michigan, we have deployed charging infrastructure in both DTE and Consumers territories, working with partners like Ford, Meijer, and Amazon.

Greenlots does not manufacture hardware. Instead, we provide our customers turnkey solutions by pairing our open-standards-based software network with hardware produced by a variety of manufacturers. This flexible offering enables our customers to mix and match and develop solutions that best meet the needs of their site or network deployments. We validate the quality of each hardware offering in our lab before making it available on the Greenlots network. Because of our business model, we have a deep insight into the state of the EV charging industry – both in terms of available hardware and customer needs.

Greenlots is broadly supportive of HB 4802. The Michigan Public Service Commission has determined that EV charging services is not resale of electricity – this legislation would codify that determination in a more permanent fashion. The ability for EV charging station operators to price

charging activity by the kWh increases transparency for drivers and is an important consumer protection measure.

Unfortunately, Greenlots is concerned that as currently written HB 4801 would place significant limitations on our ability – and that of our hardware partners - to do business in the Michigan market, even as state agencies and utilities are working to support a more robust charging landscape.

Our concerns are centered on three areas:

1. The pricing display requirements in section 3(4)(c) are overly restrictive, and do not reflect the full landscape of high quality charging equipment currently available in Michigan. Greenlots currently works with eight main hardware partners to provide both Level 2 and DC fast charging solutions for our customers. These hardware models have been approved for participation in utility programs across the state. But many do not display pricing on the face of the equipment. Instead, pricing is clearly and transparently displayed to drivers through some other means – mobile app, in-vehicle, or at an on-site kiosk. This is particularly true for Level 2 equipment although it does also apply to some higher power charging equipment. The original version of 4801 recognized the range of ways pricing can be transparently displayed to customers, with clear language stating that it was not intended to limit “the means by which the cost information is displayed.” This original language is far more reflective of both the EV charging market and consumer preferences.

2. The definition of “Electric vehicle charging services” in Section 2(c) is now limited to units that dispense power output of 150kW or greater. Importantly, this updated definition limits the applicability of sale for resale provisions in HB 4802 only to these higher power units. Sale for resale provisions should apply broadly, to all commercial EV charging equipment. Greenlots recommends that the reference to power output of 150kW or greater be removed from Section 2(c) and instead placed in 3(2). This would help reduce the potential financial impact of registration requirements on site hosts providing lower-power charging while ensuring that sale for resale provisions apply across all types of commercial charging activity.

3. The application of charging fees has been expanded, with a fee placed on each charging unit rather than on an individual charging station operator. Deploying charging equipment is already a significant up-front cost, often with either a lengthy or uncertain return on investment. Greenlots is wary of additional fees placed on charging activity, particularly at this nascent stage of the market, unless a clear benefit can be shown for all Michiganders. Greenlots would be pleased to work with the legislature to develop solutions that will support consumer protections without chilling the market for EV charging.

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Greenlots appreciates the Committee's consideration of these issues.

Respectfully,

A handwritten signature in cursive script, appearing to read "Annie Gilleo". The signature is written in black ink on a white background.

Annie Gilleo  
Manager, Policy and Market Development  
Greenlots