

# SUPPORT PRIVATE INVESTMENT IN EV CHARGING (LB 1218)

Dear Members of the Nebraska Legislature:

Our companies and associations write **in strong support of LB 1218**, authored by Senator Eliot Bostar. It is essential that Nebraska build a reliable, convenient and customer-driven electric vehicle (EV) charging market that is based upon fairness and a competitive, level playing field. The most efficient and effective way to build out this market is by embracing private investment and the inherent competition and innovation that comes with it. Several of the undersigned businesses are those who want to be a part of this expanding market. Many own and operate fuel outlets, convenience stores, grocery stores and restaurants in Nebraska, each serving a vital role in their communities as employers, taxpayers and businesses, serving residents and visitors alike.

Passing this legislation will break down several major barriers to private investment in the EV charging marketplace and incentivize fuel retailers and other businesses to invest in Nebraska to build out an EV charging network that will best meet the needs of drivers. Furthermore, with the federal government preparing to spend \$30.2 million in Nebraska in the coming years to help install EV charging stations, the time to act is now. We respectfully ask you to pass LB 1218.

This legislation allows for free market competition and improved pricing transparency and service for consumers by:

- **Allowing EV charging stations operators to resell electricity to EV drivers.**
- **Restricting electric suppliers' ability to compete unfairly with private entities by establishing a right of first refusal process for EV charging stations.**
- **Requiring electric suppliers that operate EV charging stations to do so under the same rates available to any private operator in the supplier's service territory.**

Without this legislation, private businesses are prohibited from selling electricity to EV drivers by the kilowatt hour, an insurmountable obstacle to private investment. Additionally, without a change in policy, there is an ongoing threat of electric utilities making use of their status as monopolies to gain a competitive edge over private businesses. Electric utilities can do this by charging their ratepayers to underwrite their investment in charging stations, imposing unnecessary costs on ratepayers while also preventing investments by the private sector. LB 1218 also establishes a right of right refusal process which will curtail these concerns by allowing private entities to serve certain areas before utilities are authorized to do so. This will ensure utility-owned chargers are not located near privately owned charging stations. Finally, this legislation further levels the playing field by requiring any EV chargers operated by electric suppliers to do so on a nondiscriminatory basis under the same rates and charges available to all charging station operators in the supplier's service territory.

Retailers are not afraid of competition; in fact, they welcome it on an open, level playing field. If Nebraska's electric suppliers want to compete in the EV charging business, let them, but not with an anti-competitive advantage that keeps others out of the market. Passage of LB 1218 will ensure the EV charging market develops in a competitive manner and sends an extraordinary signal to many of the industries below that it is safe to invest in the state of Nebraska.

We are grateful for your consideration.

