

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 18-E-0138 - Proceeding on Motion of the Commission  
Regarding Electric Vehicle Supply Equipment and  
Infrastructure.

NOTICE SOLICITING COMMENTS

(Issued February 5, 2020)

**PLEASE TAKE NOTICE** that comments are sought regarding the Department of Public Service Staff (Staff) Whitepaper Regarding Electric Vehicle Supply Equipment and Infrastructure Deployment (Staff EVSE&I Whitepaper) filed on January 13, 2020, in the above-captioned proceeding. The Staff EVSE&I Whitepaper proposes that Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation (collectively, the Joint Utilities) invest in make-ready infrastructure to encourage publicly accessible direct current fast chargers (DCFC) and publicly accessible Level 2 chargers, and limited additional make-ready support for nonpublic DCFC and Level 2 chargers.

To facilitate review, in addition to individual areas of comment, stakeholders should respond to the following questions:

1. To address anticipated changes in station economics and the potentially shifting need for utility funded make-ready infrastructure, Staff recommended that the Joint Utilities, in consultation with Staff, reduce incentive levels within the Commission-established budgets. According to Staff, incentive level step-downs should be informed by key factors influencing station economics including station

utilization, operating costs, and charger costs from data the Joint Utilities will publish in quarterly reports.

- a. What other key factors should be considered?
  - b. How frequently should these step-downs occur?
  - c. What notice process should the developer community receive prior to such stepdown?
2. Should performance incentives be awarded to the Joint Utilities that seek to drive down costs, encourage beneficial siting, and engage proactively and successfully with developers?
- a. How should the incentive be structured and what outcomes will measure performance?
3. Staff recommended that the seven upstate Regional Economic Development Councils (REDC) be designated as strategic locations where a limited quantity of stations will be eligible for additional incentives. According to Staff's proposal, at least four locations with four 150 kW DCFC stations should be developed in each Upstate REDC through a competitive procurement in the first year of the Make-Ready Program. Within an Upstate REDC, there may be locations that are more beneficial than others for siting strategic charging stations, based on geographic dispersion, proximity to corridors or amenities, and other factors.
- a. How should the competitive process be administered?
  - b. How should sites be selected, including identifying any locations within an REDC that should be targeted or excluded, ensuring geographically dispersed sites, and determining the size of the program?
  - c. How should locations be identified within an REDC?
  - d. Does this proposal best support the need for a minimum network of public charging?

4. Staff proposed that the existing Commission policy preserving the conventional cost-of-service ratemaking approach be maintained, and that the Commission revisit the issue at the DCFC per-plug incentive program's midpoint review.
  - a. Are there ratemaking activities that may be complementary to the existing DCFC per-plug incentive program and the proposed Make-Ready Program?
5. Disadvantaged communities have been disproportionately impacted by air pollution from internal combustion engine transportation infrastructure siting. A key barrier to increasing electric vehicle (EV) usage in low to moderate-income households is these communities' relatively high concentration of multi-family and/or rental units, which can limit charging options. Staff proposed that 20 percent of each utility's publicly accessible DCFC Make-Ready Program budget be directed towards stations within 10 miles of disadvantaged communities.
  - a. How should LMI and environmental justice communities be identified?
  - b. What are the appropriate siting criteria and rebate level to promote EV penetration into environmental justice areas?
6. How should existing utility programs, established in negotiated multi-year rate cases, that address similar make-ready costs be incorporated into Staff's proposed Make-Ready Program?
7. Staff proposed that all installations participating in the Make-Ready Program be sufficiently future-proofed by oversizing all components that can be oversized with minimal incremental cost. On the customer side, this includes

trenching and conduit, and likely the panel. What distribution system components should be future-proofed by oversizing or other means, and what are the associated incremental costs?

8. A common EV conductive charging system and interoperable communications systems are important aspects of an efficient public EV charging infrastructure network. How can the proposed Make-Ready Program stay current and encourage leading technology types and standards?
9. While not proposing make-ready funds at this time, Staff's proposal suggests implementing policies that encourage fleet electrification. How can the Commission best promote fleet electrification that minimizes impacts to the distribution grid?
10. Staff's proposal recommends that the Joint Utilities file quarterly reports and annual program overview reports. What Make-Ready Program information should be reported in addition to: the number of station owners participating in the Make-Ready Program; the number of sites for which incentives were issued; the number of Level 2 and DCFC plugs installed; program costs incurred detailed by equipment and installation; and, billed usage?
11. EVs and EV infrastructure represent a point of potential value to the grid. What actions can be taken to optimize this value?
12. Staff's Whitepaper contemplates that the automated, connected, electric, smart vehicles of the future will adopt varying software, depending on the targeted market and manufacturer. Staff did not propose that the Commission regulate vehicle software systems, but did underscore the importance of current software systems enabling future use cases. How should smart charging be approached and enabled?

13. How should developer feedback be incorporated into the utility planning process, particularly to account for EV load growth?
14. The focus of the Staff EVSE&I Whitepaper is a utility Make-Ready Program for light-duty EVs; what are the critical issues to resolve and what are the critical achievements to ensure the charging infrastructure needs of medium- and heavy-duty fleets are met?
  - a. With what timing and sequencing?
  - b. What considerations support your recommendation?
15. Should resiliency measures be considered when determining Make-Ready Program eligibility?
  - a. What specific thresholds and measures should be considered? For example, Con Edison uses the Federal Emergency Management Agency (FEMA) 100-year flood map plus three feet as the threshold for determining when storm hardening and resiliency measures such as elevating, sealing and protective barriers are needed to protect critical assets from flooding concerns.
  - b. How should resiliency measures for charging infrastructure participating in the Make-Ready Program be funded? For example, should developers who locate charging infrastructure in flood-prone areas be required to fund the flood mitigation measures to incentivize developers to avoid high risk locations?
16. Staff recommends that the Joint Utilities develop a common Interconnection On-Line Application Portal (IOAP) for EV charger applications and a common load serving capacity map tool so that developers have a common experience across all New York utilities. By when should the Joint Utilities be

required to have these EV IOAP and load serving capacity map tools functioning?

17. Staff recommends that DCFC station developers be allowed to
- 1) bundle costs from multiple DCFC site locations within a service territory if all plugs are completed during a developer-chosen 18-month period, and
  - 2) amend an approved bundling application with additional sites if those sites will also be completed during the same period. Would an alternative bundling approach or bundling period be more feasible or efficient?

The full text of the Staff EVSE&I Whitepaper may be viewed online at the Department of Public Service website ([www.dps.ny.gov](http://www.dps.ny.gov)) by entering the above-captioned case number.

Comments are requested by April 6, 2020, with reply comments sought by April 20, 2020, and shall be submitted to the Secretary for e-filing, through the Department of Public Service's Document and Matter Management System (DMM),<sup>1</sup> or by email to the Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). All filings shall refer to "Case 18-E-0138." For those unable to e-file, comments may be mailed or hand delivered to the Hon. Michelle L. Phillips, Secretary, Three Empire Plaza, Albany, New York 12223-1350. All documents filed with the Secretary will be posted on the Department's website and become part of the official case record.

Additionally, the Staff EVSE&I Whitepaper suggested an "EV Make-Ready Conference" to explain the proposal, gather feedback, explore issues such as how to include environmental justice communities, and answer questions interested parties may have. The Staff EVSE&I Whitepaper also contemplated an

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<sup>1</sup> To register with DMM, go to <http://www.dps.ny.gov/e-file/registration.html>.

"EV Readiness Working Group" to facilitate stakeholder engagement regarding developing the tools and functionalities needed to meet this level of infrastructure deployment.

**PLEASE TAKE FURTHER NOTICE** that the EV Make-Ready Conference and the EV Readiness Working Group will be held on Wednesday, March 18, 2020, in the Commission's New York City offices located at 90 Church Street. Each attendee must register by emailing the attendee's name and organization name to [EVSE@dps.ny.gov](mailto:EVSE@dps.ny.gov) no later than March 11, 2020. Each attendee should be prepared to show valid photo identification upon arrival at 90 Church Street. The conference day agenda will be announced by Staff in a Staff letter that will be posted to DMM under this case number.

Any questions may be directed to Bridget Woebbe at [Bridget.Woebbe@dps.ny.gov](mailto:Bridget.Woebbe@dps.ny.gov) or by telephone at (518) 473-6176.

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary