

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 22-E-0236 - Proceeding to Establish Alternatives to
Traditional Demand-Based Rate Structures for
Commercial Electric Vehicle Charging.

NOTICE COMMENCING REVIEW PROCESS
AND SOLICITING COMMENTS

(Issued January 31, 2025)

On January 19, 2023, the Public Service Commission (Commission) issued an Order Establishing Framework for Alternatives to Traditional Demand-Based Rate Structures (Demand Charge Alternatives Order) in this proceeding. In the Demand Charge Alternatives Order, the Commission directed Department of Public Service staff to commence a biennial review process beginning in January 2025.¹

The Commission has issued several orders to implement programs directed in the Demand Charge Alternatives Order. For example, in its Order Implementing Immediate Solutions Programs, issued on November 20, 2023, in this proceeding (Immediate Solutions Order), the Commission established Demand Charge Rebate Programs for all eligible commercial charging customers in the Upstate Utilities service territories, and a Demand Charge Rebate for public Direct Current Fast Charging (DCFC) charging sites with a Commercial Managed Charging Program (CMCP) with certain use-case-specific adder incentives in the Downstate

¹ Demand Charge Alternatives Order, p. 39.

Utilities' service territories.² These programs are ripe for review as part of this inaugural biennial review process. Accordingly, stakeholder comments are requested concerning whether the solutions implemented in the Demand Charge Alternatives Order and subsequent, related orders, including, but necessarily limited to, the Immediate Solutions Order, are (1) still necessary state-wide or in targeted circumstances and (2) whether modifications should be made to the solutions available at that time. As noted in the Demand Charge Alternatives Order, this review process shall be approached from the standpoint of a rebuttable presumption that solutions remain necessary unless evidence demonstrating that one of the following scenarios has occurred: (1) market conditions have improved; (2) EV charging business models have changed such that relief from traditional demand charges is no longer needed; or (3) other compelling evidence is provided.³

Please be advised that while the Commission has established other programs and initiatives in this proceeding, the following are not part of this inaugural biennial review process: EV Phase-In Rates, approved in the Order Implementing Electric Vehicle Charging Rates For Commercial Customers, issued October 17, 2024, in this proceeding (EV Phase-In Rate Order) (where the Commission approved EV Phase-In Rates for eligible commercial customers but noted that this program would not likely be ripe for review as part of the inaugural biennial

² The Upstate Utilities are Central Hudson Gas & Electric Corporation (Central Hudson), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation d/b/a National Grid (National Grid); and Rochester Gas and Electric Corporation (RG&E). The Downstate Utilities are Consolidated Edison Company of New York, Inc.; and Orange and Rockland Utilities, Inc.

³ Demand Charge Alternatives Order, p. 39.

review process;⁴ Load Management Technology Incentive Programs (LMTIPs), established in the Order Establishing Load Management Technology Incentive Programs, issued August 19, 2024, in this proceeding (LMTIP Order) (where the Commission established budget-limited LMTIPs but established a separate process for review of the LMTIPs to begin when either the first utility spends 70 percent of its authorized budget, or to coincide with review of the light-duty Make-Ready Programs during 2025;⁵ and pending proposals submitted by the Upstate Utilities to implement CMCPs in their respective service territories.⁶

PLEASE TAKE NOTICE that comments are requested by **April 1, 2025**, regarding the Upstate Utilities' and Downstate Utilities' Demand Charge Rebate programs and the Downstate Utilities' CMCPs. All comments should refer to Case 22-E-0236.

Comments must be submitted by e-filing through the Department's Document and Matter Management system (DMM).⁷ Those unable to file electronically may mail their comments to the Hon. Michelle L. Phillips, Secretary to the New York State Public Service Commission, Three Empire State Plaza, Albany, New York, 12223-1350.⁸ All comments submitted to the Secretary will be posted on the Department's website and become part of the

⁴ EV Phase-In Rate Order, pp. 42, 47.

⁵ LMTIP Order, p. 32.

⁶ Case 22-E-0236, National Grid Commercial Managed Charging Program Implementation Plan (filed July 18, 2023); Central Hudson Commercial Managed Charging Program Implementation Plan (filed July 18, 2023); NYSEG and RG&E Commercial Managed Charging Program Implementation Plan (filed July 18, 2023).

⁷ For DMM Login, please go to: <https://dps.ny.gov/dmm-login-document-and-matter-management-system>. For DMM Help: Electronic Filing Registration Instruction, please go to: <https://dps.ny.gov/dmm-help-electronic-filing-registration-instructions>.

⁸ Filing electronically is strongly encouraged.

record in this case.

Information and instructions related to subscribing to the service list or otherwise monitoring the status of this case are available on the Department of Public Service's website.⁹

Questions regarding this Notice should be directed to Robert Cully at Robert.Cully@dps.ny.gov.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

⁹ <https://dps.ny.gov/participating-or-monitoring-psc-proceedings>.