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**VIA DMM**

Honorable Michelle Phillips  
Secretary  
State of New York  
Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350

Re: Case 18-E-0138 - Proceeding on Motion of the Commission Regarding  
Electric Vehicle Supply Equipment and Infrastructure.  
Petition to Extend Orange and Rockland's Level 2 ("L2") Plug  
Deployment Program

Dear Secretary Phillips:

By this letter, for the reasons set forth below, Orange and Rockland Utilities, Inc. ("Orange and Rockland" or the "Company") hereby petitions the Public Service Commission ("Commission") for authorization to extend the Company's L2 Plug Deployment Program.

**BACKGROUND**

In July 2020, the Commission issued its Make Ready Order<sup>1</sup> in the above-referenced proceeding that established programs to accelerate the buildout of electric vehicle charging infrastructure, in order to stimulate electric vehicle adoption across New York State ("Make-Ready Program"). In November 2023, the Commission issued its Midpoint Review Order<sup>2</sup> that made certain revisions to the Make Ready Program. Among these revisions, the Midpoint Review Order authorized for Orange and Rockland a budget of \$17.7 million (*see*, Appendix B, Table 1) to facilitate the make-ready of 1,546 L2 charging plugs in the Company's service territory through 2025 (*see*, Appendix D, Table 10). The Midpoint Review Order (p. 24) also states that the Program will remain in effect until the plug goals are met or budgets are depleted.

On January 12, 2024, as directed by Ordering Clause 6 of the Midpoint Review Order, Orange and Rockland submitted its updated Implementation Plan for a Light-Duty Electric Vehicle Charging Infrastructure Makeready Program ("Updated Implementation

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<sup>1</sup> Case 18-E-0138, *Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure*, Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs ("Make-Ready Order") (issued July 16, 2020).

<sup>2</sup> *Id.*, Order Approving Midpoint Review Whitepaper's Recommendations With Modifications ("Midpoint Review Order") (issued November 16, 2023).

Plan”). This Updated Implementation Plan set forth the Company’s plans to support the buildout of electric vehicle charging infrastructure, including L2 charging plugs, in the Orange and Rockland service territory.

As of February 22, 2024, the Company has contracted for the installation of 1,546 L2 charging plugs in the Orange and Rockland service territory. In reaching this threshold, the Company has expended approximately \$13.3 million of its Commission-authorized budget, leaving an unspent balance of approximately \$4.4 million.

### REQUESTED RELIEF

The Company is committed to facilitating clean transportation in its service territory as part of its Clean Energy Commitment<sup>3</sup> and looks forward to expanding the availability of charging infrastructure to electric vehicle drivers within the Orange and Rockland service territory. The electrification of transportation is a key tenet of the State’s clean energy goals, including the Climate Leadership and Community Protection Act’s (“CLCPA”) target to reduce greenhouse gas emissions by 85 percent of 1990 levels by 2050.<sup>4</sup> Increasing the charging infrastructure available to electric vehicle drivers supports this goal by reducing range anxiety and removing barriers to electric vehicle adoption.

The Company’s Updated Implementation Plan detailed the Company’s specific plans, processes and procedures to implement its revised Make-Ready Program within its service territory including plans, eligibility criteria, incentive levels, outreach and education and anticipated program costs. Orange and Rockland requests the Commission’s authorization to continue to contract for the installation of additional L2 charging plugs in the Company’s service territory, above the 1,546 L2 charging plugs threshold. The Company proposes to continue this effort until it exhausts the unspent balance of approximately \$4.4 million. In doing so, the Company will continue to implement its Updated Implementation Plan without any changes.

The Commission’s authorization of the Company to continue to contract for the installation of additional L2 charging plugs in the Company’s service territory is consistent with New York State’s clean energy goals, particularly as embodied in the CLCPA. While the Level 2 plug target was based on the State-level goal for number of electric vehicles set forth in the 2013 Memorandum of Understanding, exceeding this target will allow more charger availability for the public, particularly as the number of electric vehicles continues to increase. Permitting the Company to continue to implement the Updated Implementation Plan to contract for L2 charging plugs is both cost effective and efficient, as the Company will be continuing a program that is successfully up and running. Eliminating incentive availability for Level 2 chargers will undercut the progress achieved to date in the Orange and Rockland service territory. Orange and Rockland also

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<sup>3</sup> The Company’s Clean Energy Commitment is available at <https://www.oru.com/en/our-energy-future/our-energyvision/our-energy-future-commitment>.

<sup>4</sup> Chapter 106 of the Laws of 2019. The CLCPA is available at <https://legislation.nysenate.gov/pdf/bills/2019/S6599>.

requests to retain the flexibility to set incentive levels in order to achieve the installation of more Level 2 chargers for the same amount of money. Allowing Orange and Rockland to continue administering incentives until funds are depleted will allow for a smoother transition in this market.

Please contact me if you have any questions regarding this matter.

Respectfully submitted,

Orange and Rockland Utilities, Inc.  
By Its Attorney

/s/ John L. Carley

John L. Carley  
Associate General Counsel