

July 7, 2025

Submitted electronically via dps.ny.gov

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

RE: Case No. 18-E-0138 – Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure

Dear Secretary Phillips:

On April 17, 2025, the Commission filed a notice soliciting comments on (1) the Petition for J3400 Non-Proprietary Status filed on February 24, 2025 and (2) Department of Public Service (DPS) Staff questions in the above subject case regarding the J3400 connector standard. Tesla put forth its position on the non-proprietary status of the J3400 connector standard in its petition and appreciates this opportunity to follow up with written comment in response to DPS Staff questions.

About Tesla

Tesla is a manufacturer of electric vehicles, energy storage equipment, EV charging equipment, and is also a charging network owner and operator. Tesla operates 47% of the DC fast charging ports in New York¹ and proudly manufactures its industry leading Supercharger equipment at Gigafactory New York in Buffalo, NY.

Background

On May 27, 2025 the Society of Automotive Engineers (SAE) published the official J3400/2 standard. The J3400/2 standard defines the physical architectural and mechanical specifications of the EV connector and inlet.² This milestone marks an important step towards achieving a unified charging standard for the North American market. Tesla has been supportive of the standardization process and appreciates the need for standardization to send a strong market signal. Tesla supports J3400 being recognized as a non-proprietary charging standard and for its inclusion in the NY Public Service Commission (PSC) programs given its official SAE standard status.

¹ <https://afdc.energy.gov/stations#/analyze?tab=location>

² <https://www.sae.org/news/press-room/2025/05/sae-j3400-2-standard>

DPS Staff Questions:

Proprietary vs. Non-Proprietary Designation

1. Is acknowledgment by SAE sufficient to determine the J3400 plug type as non-proprietary?

Yes. SAE's acknowledgment and publishing of J3400/2 as a full standard are strong indicators of its non-proprietary status. As a widely recognized and respected standards development organization, SAE's endorsement demonstrates that the J3400 plug type meets the requirements for an open, industry-wide standard. Furthermore, the participation of multiple stakeholders, including automotive manufacturers, charging infrastructure providers, and technology companies, in the development and maintenance of the standard ensures that it remains non-proprietary and accessible to all.³

2. Should the Commission consider the number of automakers that have or will adopt the J3400 plug type as the native vehicle plug? Why or why not?

To the degree the number of automakers that have or will adopt the J3400 plug type as the native vehicle plug type is considered, it should only require one automaker beyond Tesla providing a native J3400 inlet for it to be deemed non-proprietary. This has already been achieved with Hyundai's Ioniq 5.^{4 5}

*Like the refreshed **2025 Hyundai IONIQ 5**, which already has access to the Tesla Supercharger network, all new and significantly updated Hyundai EV models will feature built-in NACS ports. The NACS ports eliminate the need for an adapter to access Tesla Superchargers and other DC fast charging stations. These NACS-native models do not need, and do not qualify for a complimentary adapter.*

In addition to Hyundai, other automakers also plan to offer native J3400 inlets and new makes and models of electric vehicles (EVs) offered in 2026 and beyond are expected to include native J3400 inlets going forward.

³ More information on J3400/2 is available on SAE's website:

https://www.sae.org/standards/content/j3400/2_202505/

⁴ https://www.hyundai.news/en-us/models/hyundai-ioniq_5-2025-ioniq_5/overview

⁵ <https://www.hyundai.news/en-us/releases/4406>

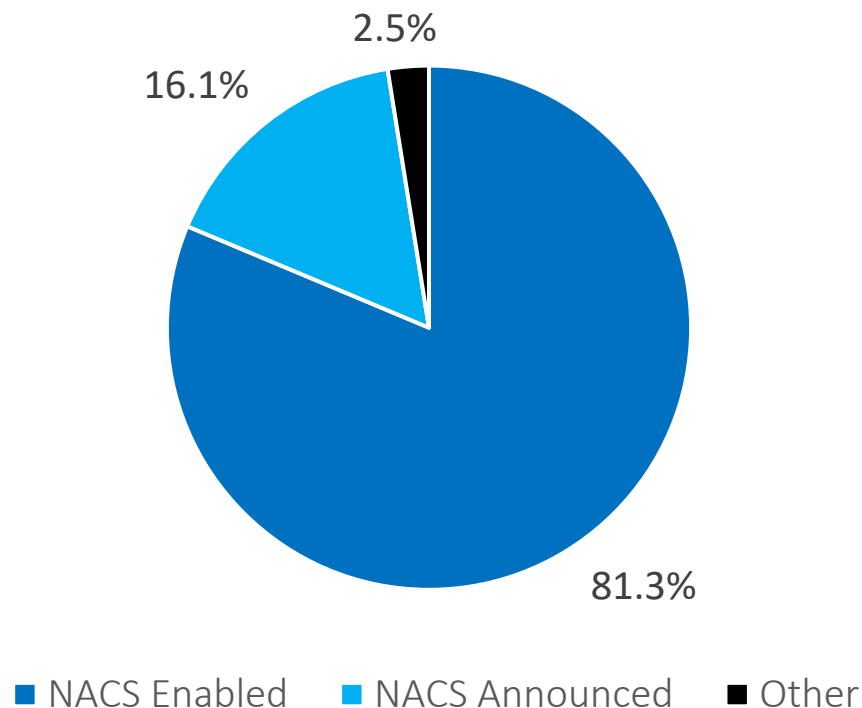
3. If automakers indicate that they will delay adoption of the J3400 plug type as the native plug, should the Commission delay recognizing the J3400 plug as non-proprietary?

No. The J3400 plug is already non-proprietary and capable of charging multiple other auto manufacturers makes and models. By the end of 2025 all major auto original equipment manufacturers (OEMs) are expected to be enabled to charge on Tesla's Supercharger network using the J3400 standard.

List of OEMs currently supported to charge on Tesla's Supercharger network using J3400 connectors: ⁶

Supported	Coming Soon
Ford	BMW
Rivian	Genesis
General Motors (GM)	Hyundai
Volvo	JLR
Polestar	Kia
Nissan	Lucid
	Mercedes-Benz

Beyond the numerous and quickly expanding list of OEMs able to charge on J3400 connectors, 81% of BEVs in New York are already enabled to charge on J3400/NACS: ⁷



⁶ <https://www.tesla.com/NACS>

⁷ Battery Electric Vehicle (BEV) registration numbers for New York State pulled from Atlas EV Hub, accessed 1/14/25.

4. Should the Commission consider the number of charging networks that have or will adopt the J3400 plug type at EV charging stations? Why or why not?

No. Now that the J3400/2 standard has been finalized by SAE, the standard is available for use by all charging networks. The decision of certain charging networks to offer the J3400 standard or not is a business decision and has no bearing on whether the plug type is non-proprietary.

5. If charging networks indicate that they will delay deploying EV charging stations with the J3400 plug type, should the Commission delay recognizing the J3400 plug as non-proprietary?

No. See answer to question number 4 above.

6. What consideration, if any, should the Commission give regarding the need for EVs to use an adaptor to access a charging station with a J3400 plug?

Tesla recognizes that adaptors will be used during this market transition period. The use of adaptors is not new to the charging industry and the answer to question number 2 above is relevant here when considering the non-proprietary status of a specific plug type.

Public Accessibility

7. Has the current public accessibility definition in the Make-Ready Program been adequate in ensuring that charging stations receiving a 90 or 100 percent incentive are open to the public?

Yes, the current definition of “publicly accessible” in the Make-Ready Program has proven adequate.

8. Are there any public accessibility issues the Commission should consider when deciding whether J3400 is a non-proprietary plug type?

No, public accessibility is a separate matter to non-proprietary plug type.

9. If an EV charging station has a J3400 plug type but has other types of restrictions (e.g., payment, access, timing, usability) should it still receive a 90 or 100 percent incentive? Why or why not?

No, for an EV charging station to receive a 90 or 100 percent incentive it should be “publicly accessible” based on the existing definition in the Make-Ready Program and include a non-proprietary plug type – no further or additional restrictions are recommended. The market

developments over the past year have resulted in J3400 becoming a non-proprietary plug type based on its official SAE standardization under J3400/2 as well as the broad market adoption from other auto manufacturers including native J3400 vehicles on the road today from auto makers beyond Tesla.

10. Should an EV charging station be considered publicly accessible if a vehicle manufacturer has to make an agreement with the EV charging station owner for that vehicle type to be able to access and use the charging station? Why or why not?

Yes. As stated in response to question number 7, the current definition of “publicly accessible” in the Make-Ready Program has proven adequate and does not need adjustment. The type of “agreement” being referenced in this question appears to be in relation to Tesla opening its Supercharger network to other auto manufacturers. To the degree agreements between the different auto manufacturers have been used to date, it has been in service of industry alignment, collaboration, and increased charger accessibility for all EV drivers.

11. Should the definition of publicly accessible be modified to include payment method(s)? Why or why not?

No. Payment methods should be left open and flexible. Overly restrictive payment method requirements can unfortunately have the unintended consequence of adding another point of potential failure to a charging station. Charging station reliability is paramount to positive user experience and adding antiquated physical card payment requirements or overly ambitious standards is unlikely to have the desired effect of increased access for actual EV drivers.

12. Should the definition of publicly accessible be modified to include length of charging cable?

No. Charging operators should be allowed to determine the best cable length for their networks. In the case of Tesla, the issue of cable length has been addressed with the V4 Supercharger post. It was recognized that the V3 Supercharger cable length was inadequate for all vehicles beyond Teslas and a design change was made to enable ease of use for other makes and models. Tesla is phasing out deployment of its V3 charge posts (with short cables) and going forward will exclusively deploy V4 charge posts with the longer cable length to enable universal access.

Conclusion

Tesla appreciates the opportunity to provide written response to Staff's questions related to J3400's non-proprietary status in a rapidly evolving charging landscape. The continuation of New York's Make-Ready Program will help encourage deployment of DCFC infrastructure and increase adoption of EVs in New York State. As shown in the registration data, 81% of BEVs in New York are already J3400-enabled and that number is expected to quickly jump to 97% by the end of 2025. Tesla would like to thank the many OEMs who have come into agreement around the J3400 standard to make one universal connector standard a reality.

Respectfully submitted,

A handwritten signature in black ink that reads "Bill Ehrlich". The signature is written in a cursive, flowing style.

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