

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

**Proceeding on Motion of the Commission
Regarding Electric Vehicle Supply
Equipment and Infrastructure**

Case No. 18-E-0138

**PETITION SEEKING MODIFICATIONS TO THE ORDER APPROVING MANAGED
CHARGING PROGRAMS**

I. PRELIMINARY STATEMENT

New York State Electric & Gas Corporation (“NYSEG”) and Rochester Gas and Electric Corporation (“RG&E”), collectively the (“Companies”), hereby submit their petition seeking a modification to the Order Approving Managed Charging Programs with Modifications (the “Order”) that directed the Companies to implement Electric Vehicle (“EV”) Managed Charging Programs (hereafter “Programs”).¹

For the reasons detailed below, the New York Public Service Commission (“Commission”) should approve the modifications to the Order as proposed by the Companies in their Managed Charging Implementation Plan (“MCIP”), the latest version of which was filed with the Commission on March 17, 2023. Specifically, the Companies propose the following two modifications to their respective EV Managed Charging programs contained in the MCIP:

1. Change the minimum monthly off-peak charging requirement for Intermediate tier Program Participants to be eligible for Participation Incentives from 90% to 80%.
2. Add a requirement for Advanced tier Program Participants to not override their managed charging schedule resulting in an on-peak charging event greater than 15 minutes, more than three (3) times per month.

II. BACKGROUND

a. Order Approving Managed Charging Programs

On July 14, 2022, the Commission issued its Order Approving Managed Charging Programs with Modifications. The Order approves, with modification, the Companies’ Mass Market Managed

¹ Case 18-E-0138 - Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure. Order Approving Managed Charging Programs with Modifications issued July 14, 2022.

Charging Program proposal (“Managed Charging Proposal”) dated December 14, 2020, which the Companies filed pursuant to the Commission’s Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs, issued July 16, 2020. The Companies filed a revised Managed Charging Proposal on June 4, 2021. The Companies’ Managed Charging Proposal included three tiers: Baseline, Intermediate and Advanced. Each tier required increased managed charging activities in response to increased incentive levels. In approving the Managed Charging Proposal, the Commission directed the Companies to eliminate the Baseline program tier and incorporate the survey component of this tier into the Intermediate tier and exclude the associated incentive of \$25 proposed for the Baseline tier. The Commission made no further modifications to the Managed Charging proposal.

On October 31, 2022, the Companies submitted a petition seeking a modification to the Order proposing two modifications to their respective EV Managed Charging programs:

1. Offer a one-time enrollment incentive of \$25 for Intermediate tier Program Participants and a onetime enrollment incentive of \$150 for Advanced tier Program Participants.
2. Elimination of Demand Response from the Intermediate Tier.

The Commission subsequently approved the Companies’ proposed modifications in its Order Approving Modifications to Utility Managed Charging Programs, issued February 16, 2023.

III. RELIEF REQUESTED

a. Minimum Monthly Off-peak Charging Requirement for Intermediate Tier

The Companies’ Managed Charging Proposal listed the minimum monthly off-peak charging requirement for Intermediate tier Program Participants as 90%. The Companies had intended that this requirement would have an 80% threshold, The Companies reflected the 80% threshold in the Companies’ MCIP. The Companies set the 80% threshold as an attainable goal for Program Participants that would be neither too easy nor too challenging to achieve. The Companies also researched managed charging programs with similar offerings but did not find compelling evidence to support a higher or lower threshold. The Companies’ Managed Charging Program is in its initial stages and the Intermediate tier is a behavioral managed charging approach with no direct load control. Planned evaluation activities will define the appropriate threshold to achieve desired results. In the interim, the Commission should approve the Companies’ proposal to implement a minimum monthly off-peak charging requirement for Intermediate tier Program Participants to be eligible for Participation Incentives at 80%.

b. Add a requirement for Advanced tier Participants

The Companies’ Managed Charging Proposal did not set specific limitations or establish penalties for non-performance on Advanced tier Program Participants. For example, Intermediate tier Program Participants’ EV charging must occur during off-peak hours at least 80% of time in any

given month to receive Participation Incentives for that month. Because Advanced tier Program Participants' EV charging load is under direct control of the Companies' based on the customers defined charging schedule and required state of charge, the only Program requirement defined in the Companies' Managed Charging Proposal was for Advanced tier Program Participants to establish and maintain a charging schedule with the Companies. Inadvertently, the Companies did not include the intended consequences for Advanced tier Program Participants overriding their charging schedules and charging during on-peak hours. The Companies later defined these requirements in their MCIP. The Companies established the requirement for Advanced tier Program Participants to not override their managed charging schedule resulting in an on-peak charging event greater than 15 minutes, more than three (3) times per month to be eligible for incentives in that month. This methodology was established in the same manner as the 80% threshold in the Intermediate tier. The intent being to implement a threshold level that is neither too lenient nor too harsh, recognizing that Advanced tier Program Participants may inadvertently plug in their EV during on-peak hours. Planned evaluation activities will define the appropriate controls to achieve desired results. In the interim, the Commission should approve the Companies' proposed requirement for Advanced tier Program Participants to not override their managed charging schedule resulting in an on-peak charging event greater than 15 minutes, more than three (3) times per month.

IV. CONCLUSION

Based on the foregoing reasons, the Companies respectfully request that the Commission approve modification to their Managed Charging Programs as follows:

- (i) Change the minimum monthly off-peak charging requirement for Intermediate tier Program Participants to be eligible for Participation Incentives from 90% to 80%. Participants for Program start-up actions, as described herein, and
- (ii) Add a requirement for Advanced tier Participants to not override their managed charging schedule resulting in an on-peak charging event greater than 15 minutes, more than three (3) times per month.

January 30, 2024

Respectfully submitted on behalf of New York
State Electric & Gas Corporation and Rochester
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