



June 3, 2022

Honorable Michelle L. Phillips  
Secretary to the Commission  
New York State Public Service Commission  
Agency Building 3  
Albany, NY 12223-1350

**Re: 22-E-0236 Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Vehicle Charging**

PowerFlex Inc. (PowerFlex) submits these reply comments in response to parties' initial comments submitted on May 23, 2022 in the above-mentioned Case. PowerFlex supports the following comments made by parties:

- EV rates should encourage EV charging and load management that provide customer, grid, and ratepayer benefits
- EV rates should be available to all types of non-residential customers and charger types
- EV rates should allow electric vehicle supply equipment (EVSE) to be installed behind common-load meters

**EV rates should encourage EV charging and load management that provide customer, grid, and ratepayer benefits**

Several parties recommend that EV rates be designed to promote EV charging and other onsite load management strategies that provide customer, grid, and ratepayer benefits.<sup>1</sup> PowerFlex strongly supports these comments. To encourage transportation electrification, electric rates in general must be kept lower, and therefore transportation electrification must be implemented in a way that does not significantly increase the cost of electricity generation and transmission/distribution. As the Joint Utilities state, "[t]his can be achieved through approaches such as active load management, cost-effective co-location of charging stations with distributed energy resources (DER) like energy storage, creative co-mingling with building load and/or use of anchor tenants like rideshares or fleets to boost utilization."<sup>2</sup> Likewise, as VGIC correctly asserts, "[a]side from managing demand, [automated load management (ALM)] can also help avoid installing additional electrical capacity, thereby mitigating make-ready costs and accelerating energization timelines."<sup>3</sup> Creating EV rates that not only allow but reward these types of solutions will help New York achieve its transportation electrification goals while keeping electric rates lower than they would be without load management strategies.

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<sup>1</sup> *Joint Utilities Initial Comments on Electric Vehicle Charging* (Joint Utilities), May 23, 2022, page 3; *Consolidated Edison Company of New York, Inc. Initial Comments on Electric Vehicle Charging*, May 23, 2022, page 3; *Advanced Energy Economy and Alliance for Clean Energy New York Initial Comments on the Notice Soliciting Comments in the Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Vehicle Charging*, May 23, 2023, page 2; *Comments of the Vehicle-Grid Integration Council (VGIC) on Demand Charge Alternatives for Commercial EV Charging* (VGIC), May 23 2022, page 3.

<sup>2</sup> Joint Utilities pages 3-4.

<sup>3</sup> VGIC page 3.

### **EV rates should be available to all types of non-residential customers and charger types**

Parties propose that EV rates should be designed to include non-residential sites with Level 2 (L2) chargers.<sup>4</sup> While Public Service Law (PSL) Section 66-s specifically mentions that rates should allow for “faster charging for eligible light duty, heavy duty, and fleet vehicles,”<sup>5</sup> this should not be interpreted to mean that EV rates are exclusively for direct current fast charging (DCFC) stations. L2 charging will play a primary role in transportation electrification, and EV rates should therefore be designed to allow L2 chargers to use their beneficial characteristics, such as integrating onsite renewables, charging over long dwell times, and automated load management. Thus, EV rates should be designed for different types non-residential of charging stations, such as L2 and DCFC.

### **EV rates should allow electric vehicle supply equipment (EVSE) to be installed behind common-load meters**

Several parties oppose requiring EVSE to be installed behind a separate meter and service panel.<sup>6</sup> PowerFlex strongly supports these comments. Some sites may benefit from EVSE being behind a separate meter, and they should have the option to do so. However, other sites should be allowed to install EVSE behind the existing customer meter if that better meets the sites’ needs. Providing optionality will allow more sites to install EVSE and allow for more innovative load management solutions.

PowerFlex appreciates the opportunity to provide these reply comments and to participate in the creation of EV tariffs in New York. Respectfully submitted,

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<sup>4</sup> *Comments of the City of New York on the Establishment of a Commercial Tariff for Electric Vehicle Charging*, May 23, 2022, page 3; *Tesla Comments on the Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Vehicle Charging*, May 23, 2022, page 5.

<sup>5</sup> Public Service Law Section 66-2.

<sup>6</sup> *Nuvve Initial Comments on Proceeding to Establish Alternatives to Traditional Demand Based Rate Structures for Commercial Electric Vehicle Charging*, May 23, 2022, page 2; *NY-BEST Comments CASE 22-E-0236 Proceeding to Establish Alternatives to Traditional Demand Based Rate Structures for Commercial Electric Vehicle Charging*, May 23, 2022, page 6; VGIC page 3.