



December 5, 2025

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

Submitted electronically via dps.ny.gov

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

In response to the Notice Soliciting Comments issued on November 6, 2025, Tesla respectfully submits the attached comments for filing in Docket No. 18-E-0138 – Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure.

Sincerely,

A handwritten signature in black ink that reads "Bill Ehrlich".

Bill Ehrlich
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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:

Tesla, Inc. ("Tesla") appreciates the opportunity to provide comments in response to the Department of Public Service Staff's Notice Soliciting Comments, issued November 6, 2025, regarding the interconnection of electric load. As the developer and operator of New York's largest fast-charging network and a direct applicant for interconnection across all of New York's Joint Utility ("JU") members, Tesla has unique, first-hand experience with the challenges and opportunities surrounding the interconnection process.

Tesla sees flexible interconnection as the greatest near-term opportunity for New York's JU to accelerate interconnection of load, specifically in the context of high-power EV charging. Creating an immediate, transparent, and predictable pathway for flexible interconnection in each of the JU territories is the single most critical action the Commission can take to accelerate the deployment of EV charging infrastructure.

Flexible interconnection helps solve immediate capacity constraints, allowing load to be interconnected while system upgrades are completed. In addition to expedited interconnection for customers, flexible interconnection increases utilization of the existing system and therefore can help put downward pressure on rates for all ratepayers. It is no longer acceptable for a utility to answer customers with a binary "Yes"/"No" capacity determination when in reality interconnection capacity has a critical spatio-temporal element. When utilities work in partnership with customers by telling them when the capacity constraints happen in a specific area, they invite customers to collaborate, resulting in faster and more grid-beneficial interconnections.

The current patchwork of capacity constraints and separate information provided by each utility creates significant delays and unforeseen costs, which act as a material barrier to achieving New York's transportation electrification and decarbonization goals. A clear and streamlined approach to flexible interconnection pathways is necessary to continue the steady flow of private

investment and ensure the rapid buildout of a reliable and equitable charging network for all New Yorkers.

Electrical Load Interconnection Process – Tesla Response to DPS Questions:

Tesla's comments below are organized in response to the key questions issued by the Department of Public Service (DPS) related to the interconnection of electric load.

1. Identify your role in the electric load interconnection process (e.g., developer, customer, etc.).

Tesla's primary role is that of a project developer and end-use customer. We design, build, own, and operate EV charging stations, which requires us to act as the direct applicant for interconnection with New York's electric utilities.

2. Identify which utility service territory or territories in which you have experience with electric load interconnection.

Tesla has direct experience working with all major electric utilities across New York State. This includes Consolidated Edison ("Con Ed"), National Grid, New York State Electric & Gas (NYSEG), Central Hudson Gas & Electric, Orange & Rockland, Rochester Gas & Electric, and PSE&G Long Island.

3. Is your experience with electric load interconnection more closely related to transportation electrification, building electrification, other electrification, or a combination thereof? Identify the load size that you are most familiar with connecting?

Our experience is predominantly related to transportation electrification. We are most familiar with connecting loads ranging from 1 MW to 3 MW. In the near future, due to the need for heavy-duty vehicle charging deployments, these interconnection load sizes are expected to increase above 3 MW. These heavy-duty projects will typically stay below the 10 MW threshold for large load review by the New York Independent System Operator.

4. Describe any difficulties or barriers that you are experiencing with the electric load interconnection process.

Tesla encounters significant and recurring difficulties and barriers in the interconnection process that materially impact project timelines, costs, and the overall pace of EV infrastructure deployment in New York. Historically, and currently, the issue of grid capacity constraints has

been felt most acutely in Con Ed's territory in and around New York City but increasingly capacity constraints can show up anywhere at these larger load sizes for heavy-duty charging (3 MW to 10 MW.)

a) Prioritize the list from most to least consequential.

1. **Capacity Constraints / Costly or Unforeseen Upgrade Requirements:** In dense urban areas like New York City, projects above 3 MW often require the construction of a costly and long-lead-time "blockhouse" for interconnection. Furthermore, when capacity is limited, projects can be burdened with a significant Contribution in Aid of Construction (CIAC) for substation upgrades or costly voltage conversions.
2. **Burdensome Easement Requirements:** Securing utility easements is consistently one of the longest and most contentious parts of the interconnection process. Property owners are often unwilling to grant permanent, recorded land rights, and utilities are inflexible on their requirements, creating negotiation deadlocks that stall projects indefinitely.
3. **Unpredictable and Extended Timelines:** Project timelines are frequently delayed by months due to utility processes getting caught at a single step without a clearly stated expected timeline for each step of the process. Tesla has been primarily encountering two types of delays:
 - a. **Energization Delays:** The most critical delays occur during the final energization stage. For example, our Gun Hill Road project in the Bronx has been construction-complete for 11 months and is still not energized.
 - b. **Load Study Delays:** It is increasingly common for utilities to require a load study that can take up to 20 weeks to complete, particularly on 4.8 kV distribution systems like those in NYSEG's Binghamton service area. This significantly slows project progress, as we cannot commit significant funds without the study's completion.
4. **Separate Utility Processes for Each Utility:** Each utility maintains different processes for design timelines, easement requirements, transformer availability and specifications, and incentive applications. For example:
 - a. National Grid requires oil containment for its transformers, while NYSEG does not.
 - b. Central Hudson requires customers to procure their own transformers for loads greater than 1 MW.

- c. Service layout drawings are rarely provided for customer review, which can lead to discrepancies, unforeseen costs, and construction delays.

b) Identify any actions that may address these difficulties or barriers.

Tesla recommends the Commission direct Staff and the utilities to establish flexible interconnection pathways to enable interconnection of loads ahead of full system upgrade completion. In addition to flexible interconnection, clearly stated (and measured) timeline expectations for each step of the utility process would help customers set expectations correctly. This approach would preserve utility operational flexibility while ensuring a baseline of consistency and predictability for developers. Key components of this framework must include the following aspects:

- **Implement Flexible Interconnection Pathways:** Tesla sees flexible interconnection as the single most important near-term tool to allow for faster interconnection of EV charging load in grid-constrained areas. In collaboration with utility partners, Tesla is already seeing the benefit of these solutions in other parts of the country. Flexible interconnection is one of the few tools that simultaneously helps solve for capacity challenges while also increasing system utilization, therefore putting downward pressure on rates.
- **Increase Upfront Communication:** Require utilities to provide a complete service determination, including service layout drawings for customer review, within a predictable timeframe (e.g., two weeks from an information request). This single change would help to increase transparency and reduce costly errors.
- **Establish Predictable Timelines:** Create clear and enforceable timelines for key milestones, including application review and load studies.
- **Standardize Technical Requirements (where possible):** Require utilities to publish and maintain clear, consistent technical specifications for common equipment, such as transformers.

c) Identify any solutions that may already exist that may alleviate interconnection constraints.

- **Flexible Interconnection Agreements:** To accelerate energization while long-term capacity upgrades are pending, New York should look to models like PG&E's "Flex Connect" pilot in California. This program allows a site to connect to the grid sooner by using a pre-established schedule of power capacity availability or an energy management system to dynamically manage its load based on available grid capacity.
 - For an EV charging site, this would mean it could operate at its full requested power (e.g., 2 MW) most of the time, while agreeing to temporarily reduce consumption during rare peak hours until grid upgrades are complete. This increases system utilization of existing assets and allows charging stations to come online years sooner.
 - At a single heavy-duty fleet charging site in PG&E's territory an incremental 800MWh were able to be used for charging over a single year thanks to the utility enabling a flexible interconnection pathway.
- **Integrated Utility Access Rights In lieu of Full Easements:** In California, New Jersey, and Pennsylvania, Tesla has successfully worked with utilities to integrate utility access rights directly into our lease agreements with property owners. This approach provides the utility with the necessary access to install, operate, and maintain its equipment without requiring a separate, recorded easement, which is often a major point of contention for property owners. Adopting a similar model in New York would dramatically reduce project delays.

d) Are any of the identified difficulties, barriers, or solutions currently being addressed in any Commission proceeding or already enacted in other jurisdictions?

While various proceedings may touch upon grid planning or EV infrastructure, the systemic, cross-utility barriers described above are not being holistically addressed in a way that provides actionable relief for project developers. This proceeding is the appropriate venue to develop a comprehensive solution.

Tesla recommends that Staff begin work to bring flexible interconnection pathways for EV charging infrastructure starting in early 2026. A collaborative approach will allow stakeholders to develop practical, consensus-based solutions to the barriers identified in these comments.

Conclusion

Tesla appreciates the opportunity to provide these comments and looks forward to working with the Commission, Staff, the Joint Utilities, and other stakeholders to create a more efficient, cost-effective, and predictable interconnection process for the benefit of all New Yorkers.

Sincerely,

A handwritten signature in black ink that reads "Bill Ehrlich". The script is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Bill Ehrlich

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