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November 4, 2024

VIA ELECTRONIC FILING

Hon. Michelle L. Phillips
Secretary
New York State Public Service Commission
Empire State Plaza
Agency Building Three
Albany, NY 12223-1350

Re: Case 18-E-0138 – Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure – **Comments of the City of New York in Support of NYPA Petition**

Dear Secretary Phillips:

The City of New York (“City”) respectfully submits these comments in support of the Petition filed by the New York Power Authority (“NYPA”) on July 29, 2024 in the above-referenced proceeding.¹ In its *Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs*, the Public Service Commission (“Commission”) allocated \$15 million in funding to NYPA to support the development of up to ten electric vehicle (“EV”) fast charging sites in each Regional Economic Development Council region by 2022.² NYPA now requests that the Make-Ready Order be modified to exclude the requirement that the funding be used “by 2022.” The City supports NYPA’s request.

The City has long supported the electrification of the transportation sector and the Commission’s commitment to advancing the reduction of greenhouse gas emissions from vehicles. The City, through the Department of Citywide Administrative Services (“DCAS”) and the NYC Department of Transportation (“NYCDOT”), operates the largest plug-in fleet and electric vehicle

¹ Case 18-E-0138, Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure, New York Power Authority Petition to Modify Order Establishing Electric Vehicle Infrastructure (filed July 29, 2024) (“Petition”).

² Case 18-E-0138, *supra*, Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs (issued July 16, 2020) at 39 (“Make-Ready Order”).

charging network in the State. Local Law 140, passed in October 2023, calls for the City fleet to transition fully to electric models by 2035 for light- and medium-duty units and by 2038, or when available, for heavy- and specialized-units. To date, DCAS operates over 5,000 plug-in units and over 2,000 charging ports. Both NYCDOT and DCAS work closely with NYPA, as well.

Specifically, the City, through NYCDOT, has been working with NYPA to develop up to 13 EV fast-charging hubs at municipal parking facilities across New York City, many of which will be located in Disadvantaged Communities. Collectively, the hubs will feature approximately 50 fast-charging plugs, intended to accelerate the adoption of EVs across New York City, provide more access to charging, and advance both the City's and the State's clean energy goals. NYPA states that the delay in deploying the planned charging hubs in New York City has been because of an early focus on deploying upstate and longer utility processing times downstate.³ NYPA has also experienced delays related to the effects of the COVID-19 pandemic, including supply chain issues and work restrictions during the pandemic.⁴

Per the Petition, NYPA intends on using a portion of the allocated \$15 million in Make-Ready funds to pay for these 13 sites.⁵ This is consistent with the Commission's directive, allocating Make-Ready funds to NYPA for purposes of building fast charging locations across the state. While the Commission specified that the funds were to be used by 2022, NYPA's request to remove this restriction is directly in line with the Commission's reasoning behind allocating these funds. Specifically, the Commission found that "enabling and building the necessary network of EV chargers across New York will require investment in certain areas of the state that otherwise would be overlooked by a private sector provider in the near-term."⁶ Given the number of chargers NYPA has been able to build through this program, and the number in process, it would be contrary to the public interest to restrict use of the Make-Ready funds simply due to development delays that were beyond NYPA's control. As such, it is critical that the remaining Make-Ready funds, already allocated to NYPA for this purpose, be made available for NYPA to continue deploying fast chargers across the state, to avoid further delays in building out these sites.

³ Petition at 3, fn 11.

⁴ *Id.* at 4.

⁵ *Id.* at 3, fn 11.

⁶ Make-Ready Order at 38.

November 4, 2024
Page 3

Based on the foregoing, the City respectfully requests that the Commission approve NYPA's request to continue to use the allocated Make-Ready funds to continue developing sites throughout the City and State. The City looks forward to continuing to work closely with NYPA on this matter.

Respectfully submitted,

Melanie M. Franco

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Counsel for the City of New York

cc: Active Parties (via email)