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November 23, 2026

Secretary Michelle L. Phillips
New York Department of Public Service
Three Empire State Plaza
Albany, NY 12223-1350

RE: Case Number 18-E-0138, Tesla Comments re: Joint Petition to Extend Make-Ready Programs

Dear Secretary Phillips:

Thank you for the opportunity to submit comments in response to the Notice Soliciting Comments issued on September 23, 2026, regarding the Joint Petition to Extend Make-Ready Programs filed on July 31, 2026. Tesla was a co-submitter of the Joint Petition and maintains that it would be in the public interest to extend the Make-Ready Programs. We offer these responses to Department of Public Service (DPS) staff questions on the matter.

Tesla Responses to Department Staff Questions

Modifications to Program Design

Should a portion of the Light-Duty Vehicle (LDV) Make-Ready Program's unspent future-proofing budget be reallocated to fund additional direct current fast charging (DCFC) plug installations, even after established plug targets have been met? Explain why.

Yes. The original purpose of the future-proofing budget was to install additional infrastructure capacity so that sites could add more charging posts later without further excavation or underground work. While a promising idea, this offering has not attracted much interest from program participants. Because the underlying goal of future proofing was to enable more charging posts beyond the 2025 targets, redirecting unused funds to install additional DCFC plugs immediately would be consistent with that objective.

Cost Governance

Describe, in detail, methods that could optimize program outcomes using some or all of the remaining LDV DCFC make-ready funding. Provide scenarios that could reduce average per-plug costs or otherwise ensure cost-effective use of ratepayer funding (e.g., pairing program design modifications that prioritize high-impact charging sites with calibrated incentive levels).

The Make-Ready Programs have proven to be effective in meeting plug targets while coming in underbudget. The Make-Ready incentives are structured in a three-tier format to serve sites in private, public, and disadvantaged community locations. Tesla supports maintaining the three-tier structure to avoid over-complication of the program. DPS staff could consider adjustments to the percentage of make-ready costs supported in each tier, as a means to stretch the impact of the reallocated program funds.

Tesla recommends against design modifications that would attempt to calibrate incentive levels to "high-impact" charging sites. Any effort to define "high-impact" chargers, such as by utilization, will likely undervalue locations that have lower utilization but serve an important purpose in the broader network.

Effective Plug Distributions

Describe in detail how the Make-Ready Program is impacting the LDV DCFC market. As part of your response, provide any analyses of:

a) the types of locations that facilitate the greatest level of electric vehicle adoption or benefits. Location types may be based on geography (e.g., charging deserts or disadvantaged communities), or site characteristics (e.g., travel plaza).

b) the types of locations with the highest utilization rates.

c) the types of plugs that have lowest downtime or operational issues.

d) areas in New York that lack adequate EV charging infrastructure (i.e. "charging deserts")

The Make-Ready Program serves as an accelerator of DCFC infrastructure. There is not a definable type of location that facilitates EV adoption the most, though Tesla generally categorizes charging sites as serving one of two key purposes: (1) alleviating congestion before it materializes for existing sites where driver demand is projected to grow and (2) improving travel connectivity. Both kinds of sites are necessary to advance EV adoption, and Make-Ready funding empowers operators to build both types of sites sooner, making more pins on the map immediately available to drivers, rather than waiting for demand to materialize. This sends a strong signal to potential EV drivers: charging is available, convenient, and easy.

There's no single type of location with highest utilization, nor is utilization an effective heuristic to identify "high-impact" sites. Sites located on highway corridors, for example, may show only medium-to-low use on ordinary days yet experience very high use on holidays, peak travel days, or weekends. A corridor site that enables seamless long-distance EV travel on Thanksgiving is just as important to EV adoption as a community site at a local grocery store that sees medium-to-high utilization more regularly.

Further, site utilization has a practical ceiling, and more use doesn't always mean better driver experience: a location operating at 30% load factor would be noticeable by an observer as busy, and exceeding that level frequently may produce driver queues and longer wait times that diminish driver experience. It may be that high utilization at a community shopping center is alleviated by a nearby corridor site, or vice versa. Co-location with amenities also makes for better driver experience, but it would not be beneficial for Make-Ready Program to over-complicate the incentive structure by specifying which kind of amenities for every location.

Conclusion

Tesla appreciates the opportunity to submit these comments in response to the questions posed by DPS and continues to support extension of the LDV Make-Ready program.

Sincerely,

Mal Skowron
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Tesla, Inc.