

Consumer Power Advocates

Columbia University Medical Center
Fordham University
Memorial Sloan Kettering Cancer Center
NYU Langone Medical Center

Mount Sinai Health System
New York Presbyterian Hospital
New York University

April 2, 2018

VIA ELECTRONIC FILING

Honorable Kathleen H. Burgess
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

RE: Case 17-E-0814 - Tariff filing by Consolidated Edison Company of New York, Inc. to Modify its Electric Tariff Schedule, P.S.C. No. 10, to Expand the Scope of its Economic Development Business Incentive Rate to Include an Electric Vehicle Quick Charging Station Program.

Dear Secretary Burgess,

On December 28, 2017, the Consolidated Edison Company of New York, Inc. (Con Edison or the Company) submitted a proposal to revise its electric tariff schedule, P.S.C. No. 10 – Electric. Con Edison proposes to expand its economic development Rider J – Business Incentive Rate (BIR) to include an Electric Vehicle (EV) Quick Charging Station Program. The Company proposes that the EV Program be a seven-year program to incent publicly accessible EV quick charging stations in its service territory (the Proposal.) Major elements of the program include: 1) a 30 MW allocation transferred from the New and Vacant Program; 2) an opportunity for owners of newly constructed EV quick charging stations with a minimum of 100 kW of aggregate charging capacity and maximum aggregate demand of 2,000 kW to receive BIR delivery rate reductions; 3) a requirement that an EV quick charging station obtain economic incentives from the federal, state and/or local authorities; 4) a term for delivery rate reductions of up to seven years from the effective date of the program; and 5) other BIR requirements as applicable. The proposed amendments have an effective date of May 1, 2018.

In accordance with the Notice published January 31, 2018 in the New York State Register, CPA hereby submits its comments in which it wishes to register its support for the proposal, subject to one important modification.

Consumer Power Advocates (CPA) is a coalition of not-for-profit commercial health care and educational customers in the Consolidated Edison service territory that advocates on behalf of consumer interests before the Commission, NYISO and elsewhere. CPA's members support the expansion of EV charging infrastructure, both generally, and at their respective locations.

The Proposal Should Not Exclude Educational and Health Care Campuses

In support of the Proposal the Company alleges a number of benefits:

- 1) "This new program would be consistent with the spirit of BIR because the program will attract new business customers to the service area and will mitigate the high cost of EV charging station operation in an immature market with low station utilization.¹"
- 2) "Public charging stations are expected to build consumer confidence that electric vehicle charging is available when needed, thus enabling the EV market and resulting in air quality benefits.²"
- 3) The program would "contribut(e) to New York State's achievement of its Zero Emission Vehicle ("ZEV") target³"

CPA agrees with the benefits noted above, and generally supports the Proposal.

However, the Company has included a provision that effectively excludes virtually all CPA members from taking part. Specifically, the Company notes:

"To qualify for the EV Quick Charging Station Program, a participant would need to construct a charging station with a minimum of 100 kW of aggregate charging capacity that would be publicly accessible. Examples of locations for publicly accessible stations are supermarkets, malls and retail outlets, train stations, hotels,

¹ / Proposal at 1.

² / Id. at 2.

³ / Id. at 3

restaurants, and parking garages and parking lots where EV quick charging is open to the general public.⁴⁷

As a result of security concerns, access to the parking lots and garages at many, if not most, educational and health care campuses, such as those of CPA's members is not unrestricted. Based on conversations with Company during the collaborative that led up to the proposal, it was made clear to CPA that these locations would therefore not be eligible under Rider J. CPA submits that such treatment is discriminatory and subverts most of the goals enumerated above.

Allowing new, fast-charging EV stations in secure campus environments would “attract new business customers to the service area and ... mitigate the high cost of EV charging station operation in an immature market with low station utilization.” It would also “contribut(e) to New York State's achievement of its Zero Emission Vehicle (“ZEV”) target.” It is no less important that regular commuters to campus environments have access to convenient charging that it is for other potential EV owners. Indeed, it may be even more important to convincing regular commuters to invest in EVs. Such commuters should not be forced to park off-campus in order to take advantage of new Rider J-facilitated stations, thereby exacerbating availability concerns for the truly “publicly available” stations.

Further, it is not at all clear that some of the “eligible” locations cited by the Company are all that distinguishable from secure campus parking. If the overriding goal is to address EV “range anxiety” for travelers, it is not clear that train stations, hotels, restaurants, and publicly-accessible parking locations – all of which may limit access exclusively to their customers - do so. Indeed, this raises another potential dimension to the discrimination inherent in the proposal. Subsidies will be provided to some commercial entities, who will benefit thereby, while other

⁴ / Id. at 3. (emphasis added)

entities (entities who may be paying for those subsidies) are denied an equivalent opportunity. In either case, the EV owner who is “just passing through” will not have completely unfettered access to recharge.

Secure hospital or college campuses may not be identical to hotel or other commercial parking areas, but CPA submits that they are not so different as to warrant the vastly different treatment the Company would afford them. The degree of accessibility to the public should be one factor in whether a BIR incentive is available, but so should expected utilization. This latter criteria might, depending on the specific circumstance, much more strongly favor funding facilities at locations such as those owned by CPA members.

Instead of making public accessibility a threshold criteria for funding, the Commission should require that it be one criteria. At a minimum, another should be related to the expected utilization of the charging station.

CPA appreciates the opportunity to submit its views for the Commission’s consideration and asks that our concerns be appropriately addressed.

Respectfully Submitted,

/s/

Aaron Breidenbaugh
Director of Regulatory Affairs

cc: Active Parties