



October 27, 2023

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

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

**Comments of the Vehicle-Grid Integration Council (VGIC)
On the Joint Utilities' Proposed Near-Term Solutions**

Introduction

The Vehicle-Grid Integration Council (VGIC) is a 501(c)(6) membership-based advocacy group committed to advancing the role of electric vehicles (“EVs”) and vehicle-grid integration (“VGI”) through policy development, education, outreach, and research. VGIC supports the transition to decarbonized transportation and electric sectors by ensuring the value from EV deployments and flexible EV charging and discharging is recognized and compensated in support of achieving a more reliable, affordable, and efficient electric grid. VGIC appreciates the opportunity to provide comments on the Joint Utilities’ proposed Near-Term Solutions. VGIC’s comments will primarily focus on the Upstate Utilities’ Commercial Managed Charging Program (“CMCP”) proposals.

VGIC Supports the Joint Utilities’ Proposed Near-Term Solutions

By providing drivers and fleets with opportunities to lower charging costs and mitigating the impacts of EV charging on the grid, managed charging programs are essential for New York’s transportation electrification efforts. VGIC generally supports the Joint Utilities’ proposed Near Term Solutions filed on July 18, 2023, including the CMCP proposals from the Upstate Utilities and the EV Phase-In Rate proposals from both the Downstate and Upstate Utilities. Together, these offerings will both ease the impacts of demand charges on public Direct Current Fast Chargers (“DCFCs”) as well as encourage charging during off-peak hours.

VGIC supports allowing customers with and without separately metered EV charging load to participate in the EV Phase-In Rates through the Charging Ratio calculation. This



approach provides a simple and straightforward pathway for customers with EV charging load comingled with on-site load to take advantage of the lower demand charges offered by the EV Phase-In Rates. As New York’s efforts in exploring submetering advances and once the Commission has approved submetering standards and specifications in Docket 18-E-0138, the EV Phase-In Rate tariffs should be updated to ensure that the EV Phase-In Rates apply directly to customers’ EV charging load through the use of EVSE- or EV-based submeters.

Additionally, VGIC appreciates the Upstate Utilities’ plans to allow participants in the CMCP to simultaneously participate in the EV Phase-In Rate as well as commercial demand response programs.¹ Dual participation will ensure that fleets and other commercial charging sites are compensated for the full value of managed charging, and potentially vehicle-to-grid (“V2G”) exports. VGIC agrees with the Upstate Utilities that additional information is needed to ensure that dual participation does not provide duplicate incentives for the same value or activity. As such, VGIC recommends that the utilities conduct further stakeholder engagement (such as through a workshop) in order to align these offerings.

VGIC Recommends Modifications to the Upstate Utilities’ Proposed CMCP

While VGIC supports the Joint Utilities’ overall Near-Term Solutions proposals, the following modifications to the Upstate Utilities’ CMCP would help improve the proposed offerings:

- *The Peak Avoidance kW calculation should be modified:* National Grid, Central Hudson, and NYSEG and RG&E all proposed to calculate the Peak Avoidance kW by subtracting the maximum EVSE demand during the peak window from the maximum EVSE demand during all hours of each month.² However, for some EV charging sites, the maximum EVSE demand during all hours may fluctuate month-to-month. This fluctuation can make the incentives the program participant receives each month inconsistent and difficult to predict even if the program participant consistently manages their load during the peak window. In order to provide predictable incentive payments that better inform customers’ load management choices, the Peak Avoidance kW should instead be calculated by subtracting the maximum EVSE demand during the peak window from the *maximum simultaneous EVSE charging capacity* (the lesser of the sum of EVSE nameplate capacity and the maximum load of any load limiting hardware). This modification would make the Upstate Utilities’ CMCP consistent with the Downstate Utilities’ CMCP³ as well as with

¹ National Grid CMCP Implementation Plan, pg. 2; Central Hudson CMCP Implementation Plan, pg. 4; NYSEG and RG&E CMCP Implementation Plan, pg. 7.

² National Grid CMCP IP, pg. 2; Central Hudson CMCP IP, pg. 4; NYSEG and RG&E CMCP IP, pg. 8.

³ Joint Utilities Immediate Solutions Program Design, pg. 5. March 20, 2023.

the Commission January Order, which states that the Peak Avoidance Incentive should be set “based on the difference between a charger’s charging capability in kW and the maximum charging demand served by that charger during a defined peak period.”⁴

- Central Hudson and NYSEG and RG&E should allow customers to participate using EVSE data: Unlike National Grid, which proposed to allow customers to participate in the CMCP with utility interval meter or EVSE data, Central Hudson and NYSEG and RG&E proposed to require participants to install an interval meter. For customers with EVSE load co-mingled with other on-site load, Central Hudson and NYSEG and RG&E proposed to only allow participation for customers with a maximum EVSE charging capacity of at least 50% of the maximum site demand. These requirements would place unnecessary cost and time burdens on some customers while completely preventing other customers from participating in the CMCP altogether. VGIC strongly recommends that Central Hudson and NYSEG and RG&E follow National Grid’s eligibility and data collection requirements and allow customers to participate using EVSE data. This change would facilitate greater customer participation in the CMCP, not only benefiting the grid through increased load management but also supporting charging infrastructure deployment and EV adoption.
- The Upstate Utilities should collect additional data points reporting purposes: VGIC recommends two additional data points the utilities should collect: 1) participants’ average maximum demand kW during the peak window, and 2) participants’ average maximum simultaneous EVSE charging capacity kW. These two data points represent the two components of the Peak Avoidance kW as discussed above and would help enable an assessment of the CMCP’s effectiveness in incentivizing peak avoidance.

Conclusion

VGIC appreciates the opportunity to provide these comments and looks forward to working with the Joint Utilities, the Commission, and other stakeholders to ensure the success of New York’s transportation electrification efforts.

Respectfully submitted,

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⁴ Order Establishing Framework for Alternatives to Traditional Demand-Based Rate Structures, pg. 18.



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