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February 2, 2021

VIA ELECTRONIC MAIL

aida.camacho@bpu.nj.gov
board.secretary@bpu.nj.gov

Aida Camacho-Welch
Secretary of the Board
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

RE: In the Matter of the Petition of Atlantic City Electric Company for Approval of a
Voluntary Program for Plug-In Vehicle Charging
BPU Docket No. EO18020190

Dear Secretary Camacho-Welch:

Enclosed herewith for filing is a fully executed Stipulation of Settlement (the "Stipulation") in connection with the above-referenced matter. The Stipulation has been executed by Staff of the New Jersey Board of Public Utilities (the "Board" or "BPU"); the New Jersey Division of Rate Counsel ("Rate Counsel"); ChargePoint, Inc.; EVgo Services LLC; and Tesla, Inc.

To the best of Atlantic City Electric Company's ("ACE" or the "Company") knowledge, there are no parties that object to the settlement; however, the following intervening parties have not joined the settlement: Natural Resources Defense Council, Environment New Jersey, Sierra Club, Tri-State Transportation Campaign, New Jersey Work Environment Council, GreenFaith, and Isles, Inc. (collectively referred to as the Environmental and Community Group), Electrify America, LLC, and Zeco Systems, Inc., d/b/a Greenlots.¹ It is ACE's understanding that these parties do not oppose the settlement and intend to file comments stating their positions. It is our further understanding that **Board Staff is expecting comments by no later than Friday, February 5th.**

The parties to the Stipulation have been working diligently since early November 2020 to find common ground on the many issues involved in this cutting-edge proceeding and arrive at a mutually agreeable settlement. We note that there is only one February meeting of the BPU currently scheduled (Wednesday, February 17, 2021). The Company respectfully requests that this matter be scheduled for the earliest available Board meeting so that implementation of the settlement can begin without delay.

¹ The following parties have been granted Participant status in this proceeding and have also indicated that they do not object to approval of the Stipulation: Public Service Electric and Gas Company, Jersey Central Power & Light Company, and the Alliance for Transportation Electrification.

Aida Camacho-Welch

February 2, 2021

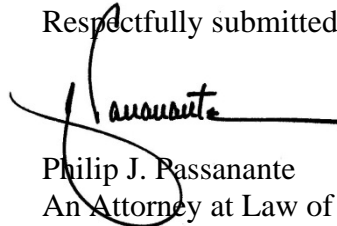
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Consistent with the Order issued by the Board in connection with *In the Matter of the New Jersey Board of Public Utilities' Response to the COVID-19 Pandemic for a Temporary Waiver of Requirements for Certain Non-Essential Obligations*, BPU Docket No. EO20030254, Order dated March 19, 2020, this document is being electronically filed with the Secretary of the Board, Rate Counsel, and all Intervenors and Participants. No paper copies will follow.

It is ACE's understanding and request that the attached Stipulation not be posted to the BPU website unless and until the settlement may be approved by the Board.

Thank you for your cooperation and courtesies. Feel free to contact the undersigned with any questions or if I can be of further assistance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Passanante", with a large, stylized flourish extending from the end of the signature.

Philip J. Passanante
An Attorney at Law of the
State of New Jersey

Enclosure

cc: Service List

**IN THE MATTER OF THE PETITION OF
ATLANTIC CITY ELECTRIC COMPANY
FOR APPROVAL OF A VOLUNTARY
PROGRAM FOR PLUG-IN VEHICLE
CHARGING**

**STATE OF NEW JERSEY
BOARD OF PUBLIC UTILITIES**

BPU DOCKET NO. EO18020190

STIPULATION OF SETTLEMENT

APPEARANCES:

Clark M. Stalker, Associate General Counsel, and Philip J. Passanante, Assistant General Counsel, for Atlantic City Electric Company

Colleen A. Foley, Esq., Saul Ewing Arnstein & Lehr LLP, on behalf of Atlantic City Electric Company

Brian O. Lipman, Litigation Manager, Felicia Thomas-Friel, Managing Attorney, Kurt Lewandowski, Assistant Deputy Rate Counsel, Brian Weeks, Deputy Rate Counsel, on behalf of the Division of Rate Counsel (Stefanie A. Brand, Director, Division of Rate Counsel)

Brandon Simmons, Deputy Attorney General, on behalf of the Staff of the New Jersey Board of Public Utilities (Gurbir S. Grewal, Attorney General of New Jersey)

Barbara J. Koontz, Esq., Greenbaum, Rowe, Smith & Davis, on behalf of Participant, Alliance for Transportation Electrification

Murray E. Bevan, Esq., Bevan Mosca & Giuditta P.C., on behalf of Intervenor, ChargePoint, Inc.

Ira G. Megdal, Esq., Cozen O'Connor, on behalf of Intervenor, Electrify America, LLC

William D. Bittinger, Esq., Daniel Greenhouse, Esq., Eastern Environmental Law Center, on behalf of Intervenors, Natural Resources Defense Council, Environment New Jersey, Sierra Club, Tri-State Transportation Campaign, New Jersey Work Environment Council, GreenFaith, and Isles (collectively, "Environmental and Community Groups")

Martin C. Rothfelder, Esq., Rothfelder Stern, L.L.C., on behalf of Intervenor, EVgo Services LLC

Guillermo Artiles, Esq., Natalie Watson, Esq., McCarter and English LLP, on behalf of Intervenor, Greenlots, Inc.

Lauren M. Lepkoski, Esq., First Energy Services Company, on behalf of Participant, Jersey Central Power & Light Company

Kevin Auerbacher, Esq., on behalf of Intervenor, Tesla, Inc.

Matthew M. Weissman, Esq., PSEG Services Company, on behalf of Participant, Public Service Electric and Gas Company

TO THE HONORABLE BOARD OF PUBLIC UTILITIES:

This Stipulation of Settlement (“Stipulation”) is hereby made and executed as of this 2nd day of February, 2021, by and among Atlantic City Electric Company (“ACE” or “Company”), the Staff of the New Jersey Board of Public Utilities (“Board Staff” or “Staff”), the New Jersey Division of Rate Counsel (“Rate Counsel”), ChargePoint, Inc. (“ChargePoint”), EVgo Services LLC (“EVgo”), and Tesla, Inc. (“Tesla”) (hereafter referred to as the “Signatory Parties”) in settlement of all issues pertaining to the above-captioned voluntary program for electric vehicle (“EV”) charging infrastructure filed by the Company on February 22, 2018 (“Original EV Petition”), and substantially revised and expanded by ACE pursuant to an Amended Petition filed on December 17, 2019 (“Amended EV Petition”).

The Signatory Parties do hereby join in recommending that the New Jersey Board of Public Utilities (“Board” or “BPU”) issue a Decision and Order approving this Settlement Agreement.

PROCEDURAL HISTORY

A. The Original EV Petition

1. ACE is a corporation organized and existing under the laws of the State of New Jersey, subject to the jurisdiction of the Board, with a regional office located at 5100 Harding Highway, Mays Landing, New Jersey 08330. On or about February 22, 2018, ACE filed the Original EV Petition with the Board seeking approval of a \$14.9 million program comprised of eight (8) offerings designed to foster the growth and deployment of EVs and EV charging infrastructure in New Jersey. By Board Order dated March 26, 2018, the Board retained jurisdiction over this matter and designated Commissioner Upendra J. Chivukula as the presiding

officer in the matter to rule on all motions that arise during the pendency of the proceeding, establish and modify any schedules that may be set as necessary, and conduct public and evidentiary hearings.

2. On April 6, 2018, Rate Counsel filed a motion with the Board to stay ACE's Original EV Petition. The Company opposed Rate Counsel's motion. The Board took no action on the motion.

3. On or about April 13, 2020, Rate Counsel filed a motion to dismiss a portion of ACE's Amended Petition. On or about May 4, 2020 ACE filed an opposition to Rate Counsel's motion which was joined by interveners, Greenlots and NRDC. On or about May 18, 2020 Rate Counsel filed a reply to ACE's opposition. By Order dated June 26, 2020, Rate Counsel's motion to dismiss was denied and the parties were ordered to continue moving through the procedural schedule.

B. The Amended EV Petition

4. On December 17, 2019, ACE filed the Amended EV Petition. The Amended EV Petition proposed a significantly expanded multi-year EV charging infrastructure initiative consisting of 13 individual program offerings with a total budget of approximately \$42.1 million. The Amended EV Petition included an EV tariff, incentives for EV charging infrastructure for multi-family dwellings, fleets, workplaces, and public charging, as well as pilots for other aspects of the EV market, including funding for electric school buses and charging infrastructure for New Jersey Transit. The Company's Amended EV Petition was supported by the Direct Testimony of Kevin McGowan, Jennifer Grisham, and Michael Normand of ACE as well as Mark Warner of Gabel Associates.

C. The Parties to this Proceeding

5. Numerous entities have made motions to intervene in this proceeding. Based on the resolution of those motions, the intervenors in this matter are as follows: the Natural Resources Defense Council (“NDRC”), Environment New Jersey (“ENJ”), the Sierra Club, Tri-State Transportation Campaign (“TSTC”), New Jersey Work Environment Council (“WEC”), GreenFaith, Inc., (“GreenFaith”), and Isles, Inc. (“Isles”) (collectively referred to as the “Environmental and Community Groups”);¹ ChargePoint; Greenlots, Inc. (“Greenlots”); Tesla; EVgo; and Electrify America, LLC (“Electrify America”).

6. The following entities made motions to participate, which were granted by Commissioner Chivukula: the Alliance for Transportation Electrification (“Alliance”), Public Service Electric and Gas Company (“PSE&G”), and Jersey Central Power and Light Company (“JCP&L”).

7. Pursuant to the Procedural Schedule dated June 10, 2020 approved by Commissioner Chivukula, Direct Testimony responding to the Company’s Amended EV Petition and supporting Direct Testimony was submitted on September 18, 2020 by: David Peterson and Ezra Hausman for Rate Counsel, Kevin George Miller for ChargePoint, Jigar Shah for Electrify America, Kathleen Harris for the Environmental and Community Groups, Carine Dumit for EVgo, Joshua Cohen for Greenlots, and William Ehrlich for Tesla. On October 19, 2020, the Company filed Rebuttal Testimony by David Schatz, Jennifer Grisham, Michael Normand and Mark Warner.² Also on October 19, 2020, Rebuttal Testimony was filed by Kevin George Miller for

¹ The Environmental and Community Groups are collectively represented in this matter by the Eastern Environmental Law Center (“EELC”).

² Mr. Schatz adopted the previously filed Direct Testimony of Company Witness McGowan.

ChargePoint, Jigar Shah for Electrify America, Kathleen Harris for the Environmental and Community Groups, Joshua Cohen for Greenlots, and William Ehrlich for Tesla.

8. Following the timely publication of appropriate notices in newspapers of general circulation throughout the Company's service territory, two (2) public comment hearings were held on December 2, 2020. Due to the continuing COVID-19 pandemic, the public comment hearings were conducted telephonically in order to permit public participation in the hearings while also adhering to social distancing requirements. No members of the public dialed-in to either hearing to provide comments.

9. Extensive discovery³ was conducted by the parties and numerous settlement discussions were held. Based on the extensive record developed through discovery, and pursuant to the settlement negotiations over six days, the Signatory Parties have reached an agreement on the matters set forth in this Stipulation. PSE&G, JCP&L, Greenlots, the Alliance, the Environmental and Community Groups and Electrify America, while not Signatory Parties, have indicated that they do not object to the approval of this Stipulation. Therefore, the Signatory Parties hereby STIPULATE AND AGREE as follows:

STIPULATED MATTERS

1. The Signatory Parties agree that ACE may implement a Voluntary EV Charging Infrastructure Program ("EV Charging Program") pursuant to the terms of this Stipulation, the

³ In total, Staff propounded 59 discovery requests, to which ACE responded; Rate Counsel propounded 40 discovery requests upon ACE, which were answered; Intervenor ChargePoint propounded 34 discovery requests upon ACE, which were answered; Intervenor Electrify America propounded 10 discovery requests upon ACE, which were answered; Intervenor EVgo propounded 9 discovery requests upon ACE, which were answered; and the environmental and community groups propounded 8 discovery requests upon ACE, which were answered.

Board’s recent Order on Staff’s Straw Proposal on Electric Infrastructure Vehicle Build Out,⁴ the Electric Vehicle Act of 2020 (“EV Act”),⁵ and orders or regulations hereinafter promulgated by the Board pursuant to N.J.S.A. 48:25-11.

DEFINITIONS

All terms used in this Stipulation that are defined in the BPU EV Ecosystem Order shall have the meaning as defined in the BPU EV Ecosystem Order.

- “Community location” - a charging location that is not a travel corridor location and that is established in a town center, commercial area, or retail center or near concentrations of multi-family dwellings to provide vehicle charging services to local plug-in electric vehicle drivers near where they live and work.
- “Co-locate” – to locate a charging station on the same contiguous site as other charging stations, which may be owned or operated by a separate site owner or operator.
- “DC Fast Charger” - EVSE that provides at least 50 kilowatts of direct current electrical power for charging a plug-in electric vehicle through a connector based on fast charging equipment standards and which is approved for installation for that purpose under the National Electric Code through an Underwriters Laboratories Certification or an equivalent certifying organization.

⁴ *I/M/O Straw Proposal on Electric Vehicle Infrastructure Build Out*, BPU Docket No. QO20050357, Order Adopting the Minimum Filing Requirements for Light-Duty, Publicly-Accessible Electric Vehicle Charging (Sept. 23, 2020) (“BPU EV Ecosystem Order”].

⁵ *See* Electric Vehicle Act of 2020 (“EV Act”), N.J.S.A. 48:25-1 et seq.

- “Demand charges”- an existing feature of many rates whereby large users of the electric system pay for their contribution to the fixed costs of operating the electric system. In most cases, Demand Charges are set based on a customer’s peak annual usage.
- “EVSE” – refers to Electric Vehicle Service Equipment.
- “EVSE Infrastructure Company” – an entity using private capital to deploy Electric Vehicle Service Equipment (i.e., “Charging Station Infrastructure”). An EVSE Infrastructure Company cannot be an EDC, affiliated with an EDC, or controlled by an EDC, unless otherwise approved by the Board.⁶
- “Last Resort” – (*referred to as* “areas of last resort”) locations that have not generated private investment interest for a minimum of 12 months after the EDC program has begun, for overburdened communities, or 18 months for other areas. Utilities may petition the Board to own and operate charging stations in these areas after those timeframes.
- “Make-Ready” - the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and DC Fast Chargers. Making a site Charger-Ready includes expenses related to service panels, junction boxes, conduit, wiring, etc., necessary to make a particular location able to accommodate Electric Vehicle Service Equipment on a “plug and play” basis. “Make-Ready” is synonymous with the term “Charger-Ready”.

⁶ An entity shall not be excluded from the definition of “EVSE Infrastructure Company” if it receives or uses public funds in deploying Electric Vehicle Service Equipment.

- “Multi-Family Dwelling” - Apartments, condominiums or mixed residential locations that feature a minimum of three or more units.
- “Operational” - a charging location that the operator of an EV charging station would be required to maintain and promptly fix, in accordance with industry standards (greater than 95% up time each calendar year) for 5 years after installation, in the event of malfunctioning hardware or software that would impede the use of the equipment by a consumer.
- “Overburdened community” - any census block group, as determined in accordance with the most recent United States Census, in which at least one half of the households qualify as low income households and either: (1) at least 40% of the residents of the census block group identify as Black, African American, Hispanic or Latino, Asian, Pacific Islander, or as members of a State recognized tribal community; or (2) at least 40% of the households in the census block group have limited English proficiency. Overburdened community is synonymous with the previously used term “Equity Area.”
- “Port” - the part of the charging station that connects to the EV. A charging station may have one or more simultaneously operable Ports with the combined capacity up to the nameplate capacity of the charging station.
- “Proprietary charging connector” – a charging connector that does not use a ‘standard connector port’ as defined in this section.
- “Publicly-accessible charging” - a charger located on public land, a community location, or a travel corridor. Such chargers are owned and operated by site owner, property manager or management company, EVSE Infrastructure Company or, in limited cases, an EDC that

is accessible to the public 24 hours a day, seven days a week; however, generic parking restrictions or requirements, such as in a commercial garage, or emergency restrictions, including construction, street cleaning, etc., are not applicable. Such chargers may charge the EV owner a fee for charging; such fees will be clearly displayed to the user.

- “Site owner and operator” - site host, property manager, an EVSE Infrastructure Company, or an EDC with Board approval that is responsible for installing EVSE.
- “Smart charging station”- defined as a charging station that is capable of sending and receiving communications via wi-fi, cellular network, or other network connection.
- “Smart charging network” – a communications system that transmits, collects, and aggregates data from charging stations via a network connection, which enables customer-facing functionalities.
- “Standard connector port” – an EV charging port that meets the technical specifications of Combined Charging System (CCS) and Charge de Move (CHAdeMO) connectors for DCFC stations and J1772 connectors for L2 stations.⁷
- “Travel corridor” - heavily used public roads in the state, as designated by the New Jersey Department of Environmental Protection, which shall include, but need not be limited to, the Garden State Parkway, the New Jersey Turnpike, the Atlantic City Expressway, federal interstate highways, and the subset of federal or State roads which collectively support the

⁷ The term “standard connectors” refers to only those plug types that are advanced by a standards-making organization, such as SAE. To the extent that new connector types are approved in the coming years, ACE reserves the right to qualify additional connectors eligible in this program.

majority of long-distance travel through and within the state, as well as the majority of daily travel by local drivers.

- “Workplace” – defined as place of business where primarily employees would utilize charging services provided to charge non-fleet vehicles; this definition includes but is not limited to commercial office parks and office buildings, schools, industrial facilities, etc.

EV CHARGING PROGRAM

2. The Signatory Parties agree that the Company’s EV Charging Program will consist of the individual program offerings set out in detail in Attachment A hereto, with a total budget of \$20.673 million inclusive of certain administrative costs, data networking and collection costs, and customer education and outreach costs incurred in the implementation of the EV Charging Program. The offerings included in Attachment A include significant investments in EV charging infrastructure Make Ready work to facilitate the growth of EV charging sites in New Jersey, and are intended to be consistent with the “shared responsibility” model for EV charging infrastructure deployment set out in the BPU EV Ecosystem Order.⁸

3. Attachment A also includes individual budgets for offerings #1b, #2, #3, #4, #5 and #6, which budgets may be expended over the five-year term of the EV Charging Program. The Signatory Parties agree the EV Charging Program shall commence upon the Board’s approval of this Stipulation. The Company’s EV Charging Program shall terminate upon exhaustion of the budgeted program dollars or after five (5) years from launch of the individual offerings, whichever occurs first.

⁸ See *BPU EV Ecosystem Order*, at 25 (finding that Staff’s proposed shared responsibility model is reasonable).

4. As set out in Attachment A, offering #7 includes a negotiated volumetric distribution rate of approximately 10.9 cents per kilowatt-hour (“kWh”) for new and existing DCFC charging sites with combined service capacity of the site up to 1,000 kW. For the avoidance of doubt, the negotiated 10.9 cents per kWh rate is for distribution service only. The negotiated 10.9 cents per kWh rate does not include applicable taxes, any current or future surcharges the Company may be authorized to impose, or any Basic Generation Service (“BGS”) or supply costs.

5. The Signatory Parties agree that the 10.9 cents per kWh rate is the product of extensive negotiations and is intended only as a transitional rate. The Signatory Parties acknowledge that ACE intends to conduct a Class Cost of Service Study (“CCOSS”) to develop and propose a cost-based rate for residential and non-residential EV charging sites operating on the Company’s distribution system, and will seek the Board’s approval to impose the rate(s) determined in that CCOSS in a future base rate proceeding, which does not refer to the base rate case initiated by ACE on December 9, 2020. Following general rate case procedure, the Signatory Parties agree that no party shall be precluded from presenting alternative methodologies to the CCOSS in the development of EV charging facility rate(s). The Signatory Parties further agree that all parties in this case have reserved their rights to contest in a future base rate proceeding the Company’s proposals regarding distribution rates, costs, and rate design, including those for EV charging facilities.

6. The Signatory Parties acknowledge that the 10.9 cents per kWh rate included in offering #7 shall automatically terminate on the earlier of December 31, 2024, or when a new rate based on a CCOSS proposed by ACE has been approved by the Board in a future base rate proceeding. If a new rate based on a CCOSS is not proposed by ACE by December 31, 2024, all

Signatory Parties agree that all charging stations receiving the transitional rate of 10.9 cents per kWh will default to the commercial tariff in place at that time.

7. The Company's revised tariffs implementing the terms of this Agreement, including the transitional tariff, Rate Schedule Monthly General Service Secondary – Electric Vehicle Charging (“MGSS-EVC”), implementing the 10.9 cents per kWh rate and setting out the eligibility requirements to receive service pursuant to this tariff, are attached hereto as Attachment B. To the extent the Board authorizes the Company to increase its base rates for electric distribution service in a future rate case filing, which does not refer to the base rate case initiated by ACE on December 9, 2020, transitional rate schedule MGSS-EVC will be subject to rate increases based upon the CCOSS referenced in Paragraph 5 above and such other issues as considered and approved by the Board.

8. The Signatory Parties agree that offering #7 does not, and is not intended to, address BGS rates, costs, or rate design. The Signatory Parties further agree that all Parties in this case have reserved their rights to contest in a future BGS proceeding the Company's proposals regarding BGS rates, costs and rate design.

9. The Signatory Parties acknowledge that the Company requires charging data to perform a CCOSS to identify and allocate accurately the costs of providing electric distribution service for EV charging, inform the development of EV rate tariffs, and to provide data to evaluate other mechanisms to incent EV owners to use charging services in a manner that has the least impact on the reliability and costs of ACE's distribution system. The Signatory Parties agree that all customers – both residential and non-residential – who elect to receive incentives under the Company's EV Charging Program shall be required to provide charging data to ACE in a format

to be determined by the Signatory Parties on a semi-annual basis. Such data requirements shall, at a minimum, include the number of charging events, time and date, number of unique vehicles connected, total kWh dispensed, average kWh per charging event, and average duration of charging events. This charging data submission requirement shall apply to both DCFC and L2 charging stations. The Signatory Parties agree to comply with any regulations promulgated by the Board regarding access to, and the use of charging data.

10. The Company will make aggregated data available, which is also anonymized (i.e., no companies identified), to the public and to other entities that have a legitimate research need for the data.⁹ ACE will provide an annual EV charging report to the Board and a copy to Rate Counsel, with summary analyses of the data, which may include, but are not limited to, location (latitude/longitude), charging session duration, session frequencies, load curves, and utilization of home charging within its service territory on an aggregate basis. The first report shall be due to the Board by March 1, 2022. The Company will work to address and standardize these data collection and reporting practices with Board Staff as well as with the other utilities to create a uniform reporting process. The Company further agrees that it will comply with any regulations promulgated by the Board regarding reporting requirements.

11. This standardized data collection process may also extend to public charging stations in ACE's service territory not participating in the ACE EV program, on a voluntary basis, in order to inform and improve upon existing practices by the Company and to ensure reliable service and quality of performance for EV charging. ACE shall work with the Signatory Parties to identify the specific data required, including those outlined above, the period for which that data

⁹ The Company will confer with participating EVSE Companies to ensure shared data and reporting contains no proprietary, personal, or sensitive data, however, data shared with the Company must be sufficient to report to the Board and develop rate offerings, as described in Paragraphs 10 and 25, respectively.

is required to be provided, the frequency with which the data will be provided to the Company, and the protocols for how any such data provided to the Company will be accessed, used, stored, and made available to other parties by the Company. ACE acknowledges that such data is considered confidential and proprietary to the providing party, and agrees to take commercially reasonable measures to maintain the confidentiality of the information provided to ACE.¹⁰ The Company further agrees that it will comply with any regulations promulgated by the Board regarding access to, and the use of, third-party EV charging data.

12. The Company agrees to offer Make-Ready incentives to support deployment of charging stations utilizing standard connectors. Those connectors include SAE J1772 for Level-Two charging and both SAE Combined Charging System (CCS) and CHAdeMO for Direct Current Fast Charging (“DCFC”). All incentives granted under offerings #1-6 shall be applied on a per port basis, where a port is defined as a connector capable of charging an EV once connected. Charging providers utilizing a proprietary, non-standard connector may co-locate with at least one EV charging station with both an SAE CCS and CHAdeMo port; however, consistent with the EV Act, only standard connector ports shall be eligible to apply for or receive an incentive.¹¹

¹⁰ Such measures shall include, upon request, requiring Company contractors that access such data to enter into non-disclosure agreements requiring them to protect confidentiality of the data and use the data only in ways that is consistent with the confidential and proprietary nature of such data.

¹¹ Section 2 of the EV Act contains definitions of Level Two and DC fast charging standard plug types, including CHAdeMO, SAE CCS, and SAE J1772. “‘Fast charging equipment standards’ means standards for high power direct current charging, based on the CHAdeMO standard and the Society of Automotive Engineers Combined Charging Standard (CCS), or other non-proprietary standards as may be approved by the board in the future.” And “‘Level Two EVSE’ means EVSE that provides a plug-in electric vehicle with single phase alternating current electrical power at 208-240V AC, through a standardized plug connector that complies with SAE J1772 standards, or an equivalent wireless power transfer interface, or equivalent standards for 208-240V AC charging as may be adopted in the future and accepted by the board, and which is approved for installation for this purpose under the National Electric Code through Underwriters Laboratories Certification or an equivalent certifying organization.”

13. No one site host or customer entity shall account for more than 20% of an offering's total program budget in totality for all of the entity's locations. The specific per-site incentive limits per offering are detailed in Attachment A.

14. In order to qualify for an incentive, both residential and non-residential charging station hardware receiving an incentive will be required by ACE to be smart charging stations and be UL certified. The Company will pre-qualify at least two manufacturers of smart charging equipment and charging network service providers for Make-Ready eligibility, and site hosts may purchase the smart charging hardware and network technology of their choice. Site hosts and/or charging station owners and operators may control the price that drivers pay for charging services at their charging stations.

15. ACE agrees to post on the Company's website public maps that detail areas which are best suited for EV infrastructure build-out by the end of calendar year 2021, and earlier if possible. These would be prepared and updated by the Company on a regular basis, at least annually, and available to the public in a timely manner in order to provide reasonably current maps showing options for EV charging in ACE's territory. The Company-prepared maps will be posted for information only and will not be used by the Company in responding to service requests. The Company further agrees that it will comply with any regulations promulgated by the Board regarding mapping EV charging sites and capacity.

16. The Company will provide a semi-annual report on EV deployment to the Board Staff and Rate Counsel ("EV Report"), setting forth the following information:

- The estimated quantity of work and the quantity completed to date or, if the activity cannot be quantified with numbers, the major tasks completed, under each of the Company's offerings;

- The Company's forecasted and actual EV capital costs to date for the reporting period and for the program-to-date;
- The forecasted and actual operations and maintenance expenses for its EV charging infrastructure to date for the reporting period and for the program-to-date;
- The Company's proposals to modify the program based on program activity within each offering in order to support the policy objectives of the State of New Jersey, including any proposed budget modification. Each proposal must include a written description of and rationale for the proposed modification. Staff retains the right to reject such proposals.
- ACE may re-allocate its budgets for offerings #1b, #2, #3, #4, #5 and #6 shown in Attachment A between those offerings, as follows: up to 5% of each offering's total budget with notification to Staff and Rate Counsel (which should be provided 30 days in advance of the change), 5% to 25% with Staff approval, and over 25% with Board approval; and,
- All requests for budget modification or re-allocation shall be submitted to Staff and Rate Counsel. Staff retains the right to reject any modification or re-allocation requiring Staff notification. All requests for budget modification or re-allocation, including those necessitating Staff approval, shall be submitted to Staff and Rate Counsel with a written description of and rationale for the proposed modification or re-allocation, and objections, if any, shall be made within 30 days.

The program expenditures shall be broken out between labor, material and other costs. This reporting will begin by September 1, 2021 based on actual results through June 30, 2021. The second semi-annual report will be submitted by March 1, 2022 based on actual results through

December 31, 2022. The Company will continue to submit semi-annual reports by March 1st and September 1st of each year through the completion of the EV program investment.

17. The Signatory Parties acknowledge that ACE has withdrawn several program offerings that were included in ACE's Amended EV Petition, and further revised in the Rebuttal Testimony of the Company's witnesses. To the extent that those program offerings are not included in Attachment A, the Signatory Parties acknowledge that the Company has withdrawn those offerings without prejudice. The Signatory Parties agree the Company is free to propose any withdrawn offerings, in whole or in part, in a future proceeding. The Company acknowledges that the BPU EV Ecosystem Order reserves issues related to medium- and heavy-duty EVs for further stakeholder proceedings to be held during the Board's Fiscal Year 2021.

18. The Company further states that its present intention is to propose additional EV charging infrastructure initiatives upon the completion of forthcoming Board proceedings to address charging infrastructure for medium and heavy electric vehicles.

COST RECOVERY

19. The Signatory Parties agree that the Company may establish a EV Charging Program Regulatory Asset (the "EV Regulatory Asset") to capture ACE's incremental depreciation associated with new capital investment placed into service and non-capital costs associated with the EV Charging Program offerings including: make-ready incentives, administrative costs, data collection and networking costs, customer outreach/marketing, billing system costs and education costs, and incremental operations and maintenance costs. ACE's incremental depreciation and amortization expenses associated with new capital investments, including distribution system investments necessary to connect non-utility owned Public DCFCs, associated with the EV Charging Program, will be recorded to the EV Regulatory Asset as those

investments are completed and become charger-ready, and ACE's reasonable non-capital costs, including any distribution system costs necessary to connect non-utility owned Public DCFCs, associated with the EV Charging Program will be recorded to the EV Regulatory Asset as those costs are incurred.

20. For the purpose of cost recovery, the Signatory Parties agree that all capital investments made pursuant to ACE's EV Charging Program, and consistent with the budget projections set out in Attachment A, and any investments made pursuant to ACE's EV Charging Program and not recorded to through the EV Regulatory Asset, shall be reviewed for prudence and inclusion in base rate in a future base rate proceeding.

21. The Signatory Parties agree that the EV Regulatory Asset and the undepreciated book value of the new charger ready capital investments will earn a rate of return based on the overall rate of return approved by the Board in the Company's most recent base rate case and updated with the rate of return approved in subsequent base rate cases. At this time, ACE's most recent base rate case was completed in early 2019, and the overall rate of return approved in that proceeding was 7.08 percent.¹²

22. The Signatory Parties agree that ACE will seek recovery of the EV Regulatory Asset, which will be reviewed for reasonableness and prudence in future base rate cases. The parties reserve their rights to argue the appropriate amortization period and recovery of the EV Regulatory Asset in a future base rate proceeding. ACE acknowledges that it bears the burden of demonstrating that investments and costs included in the EV Regulatory Asset are reasonable and prudent.

¹² See *I/M/O the Petition of Atlantic City Electric Company for Approval of Amendments to its Tariff to Provide for an Increase in Rates and Charges for Electric Service Pursuant to N.J.S.A. 48:2-21 and 48:2-21.1, and for Other Appropriate Relief* (8/2018), BPU Docket No. ER18080925, Decision and Order Adopting Initial Decision and Stipulation of Settlement (dated March 13, 2019), at 3.

23. As noted in Attachment A, ACE has projected an EV charging program implementation costs budget of approximately \$5.88 million, of which \$3.5 million is for data collection and networking services. The Signatory Parties acknowledge that ACE purchases these services from third-party vendors, and does not set the rates charged by those suppliers. The Company agrees that it will use its best efforts to obtain favorable pricing terms from third-party vendors. Should ACE anticipate that its actual costs for data collection and networking services will exceed the \$3.5 million budget, the Signatory Parties agree that ACE shall be permitted to file a request with the Board seeking authorization, with notice to Rate Counsel, to increase the budget for data collection and networking services in the EV Charging Program. Such requests must include a written description of and rationale for the requested budget increase. Staff retains the right to reject such requests. The Company acknowledges that its recovery of data collection and networking services costs is limited to its actual costs for these services, and that its request for cost recovery is subject to review in a future base rate case to confirm the costs are reasonable and were prudently incurred.

APPLICABLE PUBLIC FUNDING

24. If funding or credits from any subsequent state or federal action or program becomes available to the Company or participants through the federal government, State of New Jersey, a County or Municipality for installation or project reimbursement, the Company agrees that any such funds or credits applicable to work related to any of the EV Program Offerings referenced in this Stipulation will be used to benefit customers by offsetting the costs for which recovery will be sought to the extent permitted by law. The Company will also require program participants to disclose if they are seeking public funding, and in no case shall the combination of 1) any Federal funding, 2) other State, any other Government entity, or New Jersey Clean Energy

Program incentive funding, and 3) incentives provided as part of this approved program (excluding program incentive financing) fund more than 90% of an installation or project's costs through rebates or other direct incentives at the time of installation. If it is determined that an installation or project would be funded through 90% rebates or incentives the Signatory Parties agree that, subject to any restrictions set forth in the enabling law and other applicable law, incentive funding approved as part of this program shall be reduced to bring the total rebates and incentives under 90% of the program costs toward that project. The determination of the funding sources for a project shall be based on a certification by the program customer or participant. Nothing in this paragraph shall reduce the Company's ability to invest up to \$20.673 million pursuant to the program, as described in Paragraph 2 above and in Attachment A. Additionally, subject to the process set forth in paragraph 16 above, the Company may increase the number of sites eligible for make ready incentives for Offerings #1b, #2, #3, #4, #5 and #6, as described in Attachment A, to the extent necessary to meet this total level of investment if the application of this paragraph results in a portion of the projected budget for a particular Offering being available to invest in another Offering under this ACE EV program.

ADDITIONAL COMMITMENTS

25. The Signatory Parties acknowledge that additional charging data is needed in order to design EV-only and whole-house time-of-use residential distribution rates. Once sufficient data has been generated by customer participation in offerings #1a and #1b included in Attachment A, ACE commits to design an EV-only and whole-house time-of-use residential distribution rate and to propose that rate in a future base rate proceeding.

26. The Company acknowledges guidance in the BPU EV Ecosystem Order recommends that EV Chargers located at multi-family dwellings utilize the same rate as residential

customers are charged for EV charging.¹³ ACE commits to develop solutions to address rate parity between EV charging at single family residences and sites located at multi-family dwellings.

27. The Company shall file an annual informational filing with the Board (with copies to the Signatory Parties) detailing the total number of customers participating in the Residential Off Peak Incentive program (offering #1a), the total number and amount of Make-Ready rebates issued, and the total number of DCFC and L2 charging stations, respectively, installed as a result of the Company's programs in the calendar year. ACE will file its first annual report no later than March 1, 2022 for the calendar year 2021 period. Annual reports will be filed by each March 1st thereafter, through to the conclusion of the EV Charging Program in 2026 (resulting in a final report due by March 1, 2027).

28. The Company states that it will not own or operate EVSE for public use within the scope of this filing unless, and until, the Board has authorized ACE to own and operate such facilities as a provider of last resort consistent with the requirements set out in the BPU EV Ecosystem Order.

29. Consistent with current practices in the installation of equipment to serve new customers on its distribution system, Make Ready infrastructure installed on the utility side of the meter shall be the Company's property.

FURTHER PROVISIONS

30. This Stipulation represents a mutual balancing of interests, contains interdependent provisions and, therefore, is intended to be accepted and approved in its entirety. In the event any particular aspect of this Stipulation is not accepted and approved in its entirety by the Board, any Party aggrieved thereby shall not be bound to proceed with this Stipulation and shall have the right,

¹³ See *BPU EV Ecosystem Order*, at 23.

upon written notice, to be provided to all other Parties within ten (10) days after receipt of any such adverse decision, to litigate all issues addressed herein to a conclusion. More particularly, in the event this Stipulation is not adopted in its entirety by the Board, in any applicable Order(s), then any Party hereto is free to pursue its then available legal remedies with respect to all issues addressed in this Stipulation as though this Stipulation had not been signed.

31. The Signatory Parties agree that this Stipulation is a negotiated agreement and represents a reasonable balance of the competing interests involved in this proceeding. The contents of this Stipulation shall not in any way be considered, cited, or used by any Party as an indication of any Party's position on any related or other issue litigated in any other proceeding or forum, except to enforce the terms of this Stipulation. Notwithstanding anything to the contrary set forth herein, upon the occurrence of any of the following, this Stipulation shall terminate:

- (a) If the Board issues a decision disapproving this Stipulation; or,
- (b) If the Board issues a written Order approving this Stipulation subject to any condition or modification of the terms set forth herein that an adversely affected Party, in its discretion, finds unacceptable, then such Party shall serve written notice of unacceptability on the other Signatory Parties within seven (7) business days following receipt of such Board Order. Notwithstanding such notice that may terminate this Stipulation, each party reserves its rights to appeal from any Board Order modifying, adopting or applying this Stipulation or any of its terms consistent with current New Jersey law including Board regulations.

32. The Signatory Parties agree that they consider the Stipulation to be binding on them for the purposes set forth herein.

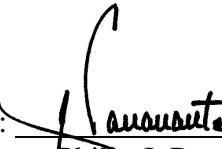
33. Each Party understands that a Board Order adopting this Stipulation will become effective in accordance with N.J.S.A. 48:2-40.

34. This Stipulation represents the full scope of the agreement between the Signatory Parties. This Stipulation may only be modified by a further written agreement executed by all of the Signatory Parties to this Stipulation.

35. This Stipulation may be executed in as many counterparts as there are Signatory Parties to this Stipulation, and each counterpart shall be an original, but all of which shall constitute one and the same instrument.


ATLANTIC CITY ELECTRIC COMPANY

Dated: February 1, 2021

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GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY
Attorney for the Staff of the
New Jersey Board of Public Utilities

Dated: February 2, 2021


By: _____
Brandon Simmons
Deputy Attorney General

**DIVISION OF RATE COUNSEL
STEFANIE A. BRAND, DIRECTOR**

Dated: _____

By: Brian Weeks
~~Brian O. Lipman~~ *Brian Weeks*
~~Litigation Manager~~ *Deputy Rate Counsel*
2/2/21

CHARGEPOINT, INC.

Dated: _____

By: _____
Murray E. Bevan, Esq.
Bevan Mosca & Giuditta P.C.,
On behalf of ChargePoint, Inc.

EVgo Services LLC

Dated: _____

By: _____
Martin C. Rothfelder, Esq.
Rothfelder Stern, L.L.C.
On behalf of EVgo Services LLC

TESLA, INC.

Dated: _____

By: _____
Kevin Auerbacher, Esq.
On behalf of Tesla, Inc.


**DIVISION OF RATE COUNSEL
STEFANIE A. BRAND, DIRECTOR**

Dated: _____

By: _____
Brian O. Lipman
Litigation Manager

CHARGEPOINT, INC.

Dated: February 1, 2021

By:  _____
Murray E. Bevan, Esq.
Bevan Mosca & Giuditta P.C.,
On behalf of ChargePoint, Inc.

EVgo Services LLC

Dated: _____

By: _____
Martin Rothfelder, Esq.
Rothfelder Stern, L.L.C.
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TESLA, INC.

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Kevin Auerbacher, Esq.
On behalf of Tesla, Inc.

**DIVISION OF RATE COUNSEL
STEFANIE A. BRAND, DIRECTOR**

Dated: _____

By: _____
Brian O. Lipman
Litigation Manager

CHARGEPOINT, INC.

Dated: _____

By: _____
Murray E. Bevan, Esq.
Bevan Mosca & Giuditta P.C.,
On behalf of ChargePoint, Inc.

EVgo Services LLC

Dated: 2/1/2021

By: Martin C. Rothfelder
Martin C. Rothfelder, Esq.
Rothfelder Stern, L.L.C.
On behalf of EVgo Services LLC

TESLA, INC.

Dated: _____

By: _____
Kevin Auerbacher, Esq.
On behalf of Tesla, Inc.

**DIVISION OF RATE COUNSEL
STEFANIE A. BRAND, DIRECTOR**

Dated: _____

By: _____
Brian O. Lipman
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CHARGEPOINT, INC.

Dated: _____

By: _____
Murray E. Bevan, Esq.
Bevan Mosca & Giuditta P.C.,
On behalf of ChargePoint, Inc.


EVgo Services LLC

Dated: _____

By: _____
Martin C. Rothfelder, Esq.
Rothfelder Stern, L.L.C.
On behalf of EVgo Services LLC

TESLA, INC.

Dated: February 1, 2021

By:  _____
Kevin Auerbacher, Esq.
On behalf of Tesla, Inc.

Attachment A

NJ EV Settlement Detailed Offering Summary Attachment A

Program Description, Term, and Investment: The Program will be comprised of the components in the table below, with a total investment level of \$14.793K in electric vehicle subprograms and \$5,880K cross-offer costs over 5 years beginning on the effective date of the Board’s Order authorizing the Program.

Program Component	Description	Budget (\$K)
1a. Residential Charging Program (L2) – Off-Peak Incentive	A Residential PIV TOU Tariff Available to PIV owners that have an approved L2 Smart Charger	0
1b. Residential Managed Charging Program (L2) – Make-Ready Rebate	50% rebate on smart L2 make-ready up to \$1,000 of qualified smart charging equipment to enable sharing of charging data with ACE.	1,500
2. Multi-Family L2	Incentives to cover 75% of make ready costs up to \$5,000 per smart charging port	1,068
3. Workplace L2	Incentives to cover 50% of make ready costs up to \$4,500 per smart charging port	1,350
4. Fleet L2	Incentives to cover 50% of make ready costs up to \$2,500 per smart charging port	375
5. Public DCFC	Incentives to cover 90% of make ready costs up to \$60,000 per smart charging port	6,000
6. Public L2	Incentives to cover 50% of make ready costs up to \$4,500 per smart charging port	4,500
7. Demand Charge Solution	<u>Short term:</u> DCFC charging stations to receive ACE-calculated rate of \$0.109/kwh <u>Long term:</u> ACE commits to cost-of-service study to determine appropriate rate design	0
Total Program Costs	Inclusive of costs for offerings outlined above	14,793
Total PIV Program Implementation Costs	Data Collection and Networking, Administrative, Education and Outreach	5,880 ¹
Total Investment		20,673

1. \$5,880K total represents an estimated \$3,500K in Data Collection and Networking costs, an estimated \$1,481K in Administrative costs, and an estimated \$891K in Education and Outreach costs

1a. Residential Charging Program (L2) – Off-Peak Incentive

Residential Charging Program (L2) – Off-Peak Incentive	
Budget	\$0
Equipment Eligibility	<ul style="list-style-type: none">• Incentive limited to smart L2 chargers with rated nameplate capacity between 3.8kw and 7.7kW• Receipt of off-peak incentive contingent upon 1) application with prequalified L2 charger and 2) agreement to provide detailed charging data to ACE
Operational Eligibility	<ul style="list-style-type: none">• Targeted enrollment of 500 existing EV owners• Charging data must be collected for a minimum of 1 year to inform design of revenue neutral rate structure
Term	Term of the program beginning from date of program launch and lasting until 12/31/2026 or until program funds are fully exhausted

1b. Residential Managed Charging Program (L2) – Make Ready Rebate

Residential Managed Charging Program (L2) – Make Ready Rebate	
Budget	\$1,500,000
Equipment Eligibility	<ul style="list-style-type: none">• Limited to new EV charging infrastructure• Target of 1,500 new EV owners on a first come, first serve basis• Incentive limited to one incentive per residential service address• Limited to installation of new qualified smart L2 chargers with rated nameplate capacity between 3.8kW and 7.7kW.• Requires installation of standard SAE J1772 L2 connector
Operational Eligibility	<ul style="list-style-type: none">• Site hosts must share charging data from chargers that receive make-ready incentive funds with ACE as a condition of receipt of make ready incentives• Make Ready work to be completed by a licensed electrician• Incentive to be capped at 50% of make ready costs up to \$1,000
Term	Term of the program beginning from date of program launch and lasting until 12/31/2026 or until program funds are fully exhausted

2. Multi-Family L2

Multi-Family L2	
Budget	\$1,068,0000
Equipment Eligibility	<ul style="list-style-type: none">• Limited to new EV charging infrastructure• Limited to installations of new L2 charging stations at multi-family dwellings located in ACE's service territory• Limited to incremental costs associated with new charging stations• Limited to installation of new qualified smart L2 chargers with rated nameplate capacity between 3.8kW and 7.7kW• Requires installation of standard SAE J1772 L2 connector
Operational Eligibility	<ul style="list-style-type: none">• Incentive to be capped at 75% of make ready costs up to \$5,000 per smart charging port for market rate multi-family dwellings; up to 100% and \$6,700 per port for multi-family dwellings situated in overburdened communities• Charging stations must be sited in locations accessible to all EV driving residents of the family dwelling• Incentive to be limited to a maximum of 10 ports per site• No one customer can account for more than 20% of total program budget in totality for all of a customer's locations• Make ready work to be completed by a licensed electrician• Incentive to be distributed on a per port basis, with a target of 200 charging ports eligible for the incentive• Site hosts must share charging data from chargers that receive make-ready incentive funds with ACE as a condition of receipt of incentive• Site hosts are permitted to determine charging prices to EV drivers.
Term	Term of the program beginning from date of program launch and lasting until 12/31/2026 or until program funds are fully exhausted

3. Workplace L2

Workplace	
Budget	\$1,350,000
Equipment Eligibility	<ul style="list-style-type: none">• Limited to new EV charging infrastructure• Limited to installations of new L2 charging stations at workplace facilities located in ACE's service territory• Limited to incremental costs associated with new charging stations• Limited to installation of new qualified smart L2 chargers with rated nameplate capacity between 3.8kW and 7.7kW• Requires installation of standard SAE J1772 L2 connector
Operational Eligibility	<ul style="list-style-type: none">• Make ready rebate incentives to cover 50% of make ready costs up to \$4,500 on a per port basis• Site hosts must agree to share charging data with ACE as a condition of receipt of make ready incentives• Make ready work to be completed by a licensed electrician• Incentive to be limited to a maximum of 10 ports per site• No one customer can account for more than 20% of total program budget in totality for all of a customer's locations• Site hosts must agree to share charging data from chargers that receive make-ready incentive funds with ACE• Site hosts are permitted to determine charging prices to EV drivers.
Term	Term of the program beginning from date of program launch and lasting until 12/31/2026 or until program funds are fully exhausted.

4. Fleet L2

Fleet L2	
Budget	\$375,000
Equipment Eligibility	<ul style="list-style-type: none">• Limited to new EV charging infrastructure• Limited to installations of new L2 charging stations at fleet locations situated in ACE's service territory• Limited to incremental costs associated with new charging stations• Limited to installation of new qualified smart L2 chargers with rated nameplate capacity between 3.8kW and 7.7kW• Requires installation of standard SAE J1772 connector
Operational Eligibility	<ul style="list-style-type: none">• Make ready rebate incentives to cover 50% of make ready costs up to \$2,500 on a per port basis• Site hosts must agree to share charging data with ACE as a condition of receipt of incentives• Make ready work to be completed by a licensed electrician• Incentive to be limited to a maximum of 10 ports per site• No one customer can account for more than 20% of total program budget in totality for all of a customer's locations• Site hosts must agree to share charging data from chargers that receive make-ready incentive funds with ACE• Site hosts are permitted to determine charging prices to EV drivers.
Term	Term of the program beginning from date of program launch and lasting until 12/31/2026 or until program funds are fully exhausted.

5. Public DCFC (Page 1 of 2)

Public DCFC	
Budget	\$6,000,000
Equipment Eligibility	<ul style="list-style-type: none"> • Limited to new EV charging infrastructure • Limited to installation of new qualified smart DCFC chargers with rated nameplate capacity at a minimum of 50kW. • Limited to incremental Make Ready costs associated with new charging stations • Stations with proprietary charging connectors must collocate with at least one charging station with both an SAE CCS Combo and SAE CHAdeMo port to receive incentive; Incentive to cover shared make ready costs on collocated proprietary and standard equipment on a single site
Operational Eligibility	<ul style="list-style-type: none"> • Incentive will be distributed on a per port basis, with a target of 100 charging ports • Limited to a maximum of 2 ports per site • Incentive to be capped at 90% of Make Ready costs up to \$60,000 per smart charging port • No one customer may account for more than 20% of total program budget in totality for all of a customer's locations • Site hosts must agree to share charging data from chargers that receive make-ready incentive funds with ACE as a condition of receipt of make ready incentives • Site host must guarantee public accessibility and operational functionality in a manner consistent with the definitions for "publicly accessible" and "operational" as defined in "Definitions" in stipulation agreement • Public DCFC charging stations must feature use of multiple forms of payment • Site hosts are permitted to determine charging prices to EV drivers

5. Public DCFC (Page 2 of 2)

Public DCFC

Term	Term of the program beginning from date of program launch and lasting until 12/31/2026 or until program funds are fully exhausted.
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6. Public L2 (Page 1 of 2)

Public L2	
Budget	<ul style="list-style-type: none">• \$4,500,000
Equipment Eligibility	<ul style="list-style-type: none">• Limited to new EV charging infrastructure• Limited to installation of new qualified smart L2 chargers with rated nameplate capacity between 3.8kW and 7.7kW• Limited to incremental costs associated with new charging stations• Requires installation of standard SAE J1772 connector
Operational Eligibility	<ul style="list-style-type: none">• Incentive will be distributed on a per port basis, with a target of 1,000 charging ports• Limited to a maximum of 2 ports per site• Incentive to be capped at 50% of make ready costs up to \$4,500 per smart charging port• Stations with proprietary charging connectors must collocate with at least one charging station with an SAE J1772 connector port to receive incentive• No one customer can account for more than 20% of total program budget in totality for all of a customer's locations• Site hosts must agree to share charging data with ACE as a condition of receipt of make ready incentives• Site host must guarantee public accessibility and operational functionality in a manner consistent with the definitions for “publicly accessible” and “operational” as listed in the definitions section• Public L2 charging stations must feature use of multiple forms of payment• Site hosts are permitted to determine charging prices to EV drivers

6. Public L2 (Page 2 of 2)

Public L2	
Term	Term of the program beginning from date of program launch and lasting until 12/31/2026 or until program funds are fully exhausted.

7. Demand Charge Solution

Demand Charge Solution	
Budget	<ul style="list-style-type: none"> • \$0
Equipment Eligibility	<ul style="list-style-type: none"> • New and existing DCFC charging sites with combined service capacity of the site up to 750kW are eligible for ACE calculated volumetric only rate • Charging sites with combined service capacity greater than 750kW must remain on existing commercial tariff
Operational Eligibility	<ul style="list-style-type: none"> • DCFC charging stations to be eligible to receive ACE-calculated volumetric only rate of \$0.109/kwh • The ACE calculated rate of \$0.109/kWh rate shall automatically terminate on the earlier of December 31, 2024, or when a new rate based on a cost-of-service study prepared by ACE has been approved by the Board. • Site hosts are permitted to determine charging prices to EV drivers • Site hosts must agree to share charging data with ACE as a condition of receipt of calculated rate structure in order to inform cost of service study and future rate design of permanent tariff solution • ACE will establish a regulatory asset to capture any incremental costs associated with eligible charging deployment
Term	Term of the program beginning from date of the approval of the tariff authorizing the transitional rate and lasting until 12/31/2024.

END OF DOCUMENT

Attachment B

ATLANTIC CITY ELECTRIC COMPANY**BPU NJ No. 11 Electric Service - Section IV First Revised Sheet Replaces Revised Sheet No. xx**

RATE SCHEDULE MGSS-EVC
(Monthly General Service Secondary – Electric Vehicle Charging)

AVAILABILITY

This is a transitional Rate Schedule, available only to publicly-accessible direct current fast charging (“DCFC”) stations or sites at any point within the Company’s system where facilities of adequate character and capacity exist for the entire electric service requirements of any customer delivered at one point and metered at or compensated to the voltage of delivery. This schedule is for secondary voltage only. The charging location DCFC chargers must be energized and operational for charging greater than 95% up time each calendar year to be eligible for this rate schedule.

This schedule is not available to residential customers. This schedule is not available to commercial and industrial customers who install DCFC chargers that are not publicly-accessible. This schedule is not available to DCFC installations that are installed behind the meter of a new or existing customer premise.

Each Charging Location is limited to 1000 kilowatts (“kW”) of service capacity.

This Rate Schedule will be closed as of December 31, 2024. Any customers on this Rate Schedule at that time will be transferred to Monthly General Service Secondary in the following billing cycle.

	SUMMER	WINTER
	June Through September	October Through May
Delivery Service Charges:		
Customer Charge		
Single Phase	\$9.96	\$9.96
Three Phase	\$11.59	\$11.59
Distribution Demand Charge (per kW)	\$0.00	\$0.00
Reactive Demand Charge	\$0.00	\$0.00
(For each kvar over one-third of kW demand)		
Distribution Rates (\$/kWh)	\$0.109000	\$0.109000
Non-Utility Generation Charge (NGC) (\$/kWh)	See Rider NGC	
Societal Benefits Charge (\$/kWh)		
Clean Energy Program	See Rider SBC	
Universal Service Fund	See Rider SBC	
Lifeline	See Rider SBC	
Uncollectible Accounts	See Rider SBC	
Transition Bond Charge (TBC) (\$/kWh)	See Rider SEC	
Market Transition Charge Tax (MTC-Tax) (\$/kWh)	See Rider SEC	
CIEP Standby Fee (\$/kWh)	See Rider BGS	
Transmission Demand Charge (\$/kW for each kW in excess of 3 kW)	\$4.21	\$3.83
Reliability Must Run Transmission Surcharge (\$/kWh)	\$0.000000	
Transmission Enhancement Charge (\$/kWh)	See Rider BGS	
Basic Generation Service Charge (\$/kWh)	See Rider BGS	
Regional Greenhouse Gas Initiative Recovery Charge (\$/kWh)	See Rider RGGI	
Infrastructure Investment Program Charge	See Rider IIP	

The minimum monthly bill will be \$9.96 per month plus any applicable adjustment.

Date of Issue:**Effective Date:****Issued by:**

RATE SCHEDULE MGSS-EVC (Continued)
(Monthly General Service Secondary – Electric Vehicle Charging)

CORPORATE BUSINESS TAX (CBT)

Charges under this rate schedule include a component for Corporate Business Taxes as set forth in Rider CBT.

NEW JERSEY SALES AND USE TAX (SUT)

Charges under this rate schedule include a component for New Jersey Sales and Use Tax as set forth in Rider SUT.

DEMAND DETERMINATION FOR BILLING

Demand shall be as shown or computed from the readings of Company's demand meter during the fifteen minute period of customer's greatest use during the month. Demand values used for billing will be rounded to the nearest tenth of a kW.

Where no demand meters are installed, a customer's demand will be calculated for the period June 1st thru September 30th, inclusive. This demand will be estimated by dividing the kWh use by 150. Where demand is expected to exceed 100 kilowatts, the Company may measure reactive demand as the greatest rate of reactive volt-ampere hour use during a fifteen (15) minute interval during the month.

Reactive demand values used for billing will be rounded to the nearest tenth of a kvar.

The provisions of this paragraph are not available to new service locations connected on or after January 1, 1983. Where a customer has permanently installed electrical space heating equipment of less than the total of all other connected load and where such electrical heating equipment represents the sole source of space and comfort heating, such equipment may be so connected as to exclude its contribution to measured demand.

DIRECT CURRENT FAST CHARGER ("DCFC")

Electric vehicle service equipment ("EVSE" or "charger" or "charging stations") that provides at least 50 kilowatts ("kW") of direct current electrical power for charging a plug-in electric vehicle through a connector based on fast charging equipment standards and which is approved for installation for that purpose under the National Electric Code through an Underwriters Laboratories Certification or an equivalent certifying organization.

PUBLICLY-ACCESSIBLE DCFC CHARGING

A charger located on public land, a community location, or a travel corridor. Such chargers are owned and operated by the site owner, property manager or management company, EVSE Infrastructure Company or, in limited cases, an Electric Distribution Company that is accessible to the public 24 hours a day, seven days a week; however, generic parking restrictions or requirements, such as in a commercial garage, or emergency restrictions, including construction, street cleaning, etc., are not applicable.

ENERGY DETERMINATION FOR BILLING

Energy values used for billing will be rounded to the nearest hundredth of a kWh.

TERM OF CONTRACT

A customer may elect to have service discontinued at any time after giving due notice to the Company of its intention to do so, provided that all requirements and obligations under the tariff of the Company have been met. A customer may request to take service under Rate Schedule Monthly General Service – Secondary, which would be effective in the following billing cycle.

TERMS AND CONDITIONS

See Section II inclusive for Terms and Conditions of Service.

"In accordance with P.L. 1997, c. 162, the charges in this Rate Schedule includes provision for the New Jersey Corporation Business Tax and the New Jersey Sales and Use Tax. When billed to customers exempt from one or more of these taxes, as set forth in Riders CBT and SUT, such charges will be reduced by the relevant amount of such taxes included therein."

PRICE TO COMPARE

A customer may choose to receive electric supply from a third party supplier as defined in Section 11 of the Standard Terms and Conditions of this tariff. A customer who receives electric supply from a third party supplier will not be billed the Basic Generation Service Charges or the Transmission Service Charges. Customers eligible for BGS CIEP who receive supply from a third party supplier will continue to be billed the CIEP Standby Fee.

I/M/O Petition of Atlantic City Electric Company for Approval of a
Voluntary Program for Plug-In Vehicle Charging
BPU Docket No. EO18020190

Service List

BPU

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