



May 9, 2022

Via Electronic Mail (board.secretary@bpu.nj.gov)

Carmen Diaz, Acting Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

RE: Advanced Metering Infrastructure (AMI) Work Session Comments on behalf of Electrify America, LLC – Docket No. EO20110716

Dear Acting Secretary Diaz,

Electrify America, LLC, appreciates the opportunity to submit comments regarding the ongoing Advanced Metering Infrastructure (“AMI”) Data Access proceeding. While Electrify America acknowledges that its comments are untimely, we consider it important to present for consideration a useful and necessary synchronization of interests between the State’s electric vehicle (“EV”) public policy goals and the ongoing efforts to install and establish standards surrounding AMI meters. Electrify America thanks the New Jersey Board of Public Utilities (“Board” or “BPU”) for its attention to this matter and for its consideration of Electrify America’s comments.

Electrify America recommends that AMI meters in the State of New Jersey, and the associated proposed rulemaking in the AMI Data Access proceeding, incorporate the needs of EV charging infrastructure and prioritize installation at EV charging stations. Specifically, information from AMI meters installed at publicly-accessible electric vehicle charging stations should be considered to be sufficient to meet the data sharing obligations and requirements currently facing EV charging companies.¹ As it relates to the various electric distribution companies’ (“EDCs”) EV incentive programs and minimum filing requirements, in addition to an ongoing need to establish uniform and consistent data sharing obligations for EV charging operators, the use of AMI meters presents a real and workable solution.² Using AMI meters at EV charging stations to meet data sharing obligations and requirements is a

¹ As discussed below, demand charge discounts offered by electric distribution companies to EV charging companies require data sharing as a prerequisite for taking service on an approved rate. Stipulation ¶¶ 18, 34, Decision and Order Approving Stipulation, *PSE&G EV Proceeding*, Docket No. EO18101111 (Jan. 27, 2021); Stipulation ¶ 9, Order Approving Stipulation of Settlement, *ACE EV Proceeding*, Docket No. EO18020190 (Feb. 17, 2021).

² The use of AMI meters will also provide a uniform set of data across all EDCs.

modest change that will increase AML adoption and ease the costly and onerous data sharing obligations that are preventing increased EV infrastructure proliferation.

As background, on November 10, 2020, Board Staff issued a notice to potential stakeholders of a work session related to AML. Among the considerations for the work session, Board Staff identified “the role of AML in achieving New Jersey’s long-term clean energy and environmental objectives.”³ New Jersey law has expressed a strong public policy in favor of EV adoption and the electrification of the transportation sector. The Plug-In Vehicle Act ambitiously seeks for adoption of 330,000 EVs and 200 direct current fast charging (“DCFC”) stations in New Jersey by 2025. N.J.S.A. 48:25-3. It has been a hallmark of Governor Murphy’s administration to encourage greater EV adoption, which has been supported through BPU programs and initiatives.

In EV infrastructure proceedings brought by EDCs, the issue of data sharing obligations has become a complex concern for EV charging companies. On one hand, the EV incentive programs and satisfaction of minimum filing requirements through Make-Ready programs, among other initiatives, have made strides in supporting and incentivizing the EV industry in New Jersey. However, on the other hand, the associated data sharing obligations for participants in these programs, which now include rate reform, are onerous, costly, and present an unfavorable utility environment that could prevent further infrastructure development in the State. To the best of our knowledge, New Jersey is an outlier in being the only state that has required such extensive data sharing as a condition for taking service on an approved rate.

Electrify America expressed its concerns with the data sharing obligations, which it contends require more information than necessary to prepare cost-of-service studies – the purported purpose for such data.⁴ The Board responded in its Orders that the data sharing obligations for participation in EV programs, which for the first time include approved rates, “provides a reasonable balance while allowing the Company [EDC] to collect the data necessary to develop an appropriate rate based on actual cost causation in a future rate case.” The Orders also provide that data sharing requirements in the programs “appropriately reference compliance with future regulations promulgated by the Board regarding access to, and the use of, charging data.”⁵

It should be emphasized that just to accept service under an approved rate, Electrify America would be required to submit its data to EDCs and implement burdensome and costly processes in order to prepare and compile such data. The data sharing requirements, including preparing such data that Electrify America does not necessarily already track and ensuring adequate staff and administrative personnel to prepare such data for sharing, has resulted in Electrify America determining that the cost of accepting service on the approved rate is not worth the benefits – ultimately, the opposite of the goal of these programs.

It also bears mentioning that as referenced in the Board Orders, there has yet to be implemented a

³ Notice of Advanced Metering Infrastructure Work Session, Docket No. EO20110716 (Nov. 10, 2020).

⁴ Letter of Non-Objection and Comments on Behalf of Electrify America, *PSE&G EV Proceeding*, Docket No. EO18101111 (Jan. 22, 2021); Letter of Non-Objection and Comments on Behalf of Electrify America, *ACE EV Proceeding*, Docket No. EO18020190 (Feb. 3, 2021).

⁵ Decision and Order Approving Stipulation at 21, *PSE&G EV Proceeding*, Docket No. EO18101111 (Jan. 27, 2021); Order Approving Stipulation of Settlement at 19, *ACE EV Proceeding*, Docket No. EO18020190 (Feb. 17, 2021).

uniform and consistent approach for the type of data that charging companies are required to provide and the actual data sharing requirements among the various EDCs. This results in the potential for different requirements based on the specific EDC and the specific program eligibility requirements. The EDCs continue to hold sessions regarding data sharing in furtherance of their respective stipulations, and the nature of these data sharing requirements has been discussed recently in these compliance sessions.

With this background in mind, Electrify America contends that AML provides a real and profound solution to the data sharing problems exhibited by EV charging companies. Through rulemaking or clearly-defined standards, the Board could establish that AML data is sufficient to comply with the requirements for participation in electric vehicle incentive programs. This provides a tangible benefit for the installation and adoption of AML meters towards New Jersey's environmental goals of transportation electrification. The information provided from standard AML would provide enough in terms of cost causation records to establish a cost of service study for EV charging companies in future base rate cases. Importantly, it also achieves a synchronized, consistent, and uniform approach toward data sharing for charging companies.

As mentioned in prior comments and filings, the utility and regulatory environment remains an important consideration for future investment in EV charging infrastructure. Improving the efficiencies for data sharing and reducing the costly and onerous data sharing burden through AML meters would provide a much-needed benefit that would encourage EV charging companies to develop in New Jersey and ultimately enable New Jersey to achieve its transportation electrification goals.

We appreciate the opportunity to provide these comments and suggested recommendations for AML as it relates to DCFC station operations and EV infrastructure. We are available to supplement our comments or answer any questions that may arise in the assessment of our proposals. We thank the Board for its consideration of these comments.

Respectfully submitted,

/s/ Jigar J. Shah

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