

AMERICANS for AFFORDABLE CLEAN ENERGY

August 7, 2023

Sherri L. Golden, RMC
New Jersey Board of Public Utilities, Secretary of the Board
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, NJ 08625-0350

RE: Americans for Affordable Clean Energy Comments on Dockets: EO20110730, EO21030630, EO18020190 and EO18101111

Dear Ms. Golden,

Americans for Affordable Clean Energy (“AACE”) respectfully submits the following comments in response to the New Jersey Board of Public Utilities’ (“Board”) request for comment on the timelines of eligibility for “Areas of Last Resort” in the electric distribution companies’ (“EDCs”) electric vehicle (“EV”) programs. AACE agrees with the Staff’s proposed program modification that would extend the timeline for locations to generate private investment interest before qualifying as an Area of Last Resort and therefore strongly encourages the Board to adopt the change.

AACE is a non-profit organization, comprised of some of the most forward-thinking, sophisticated members of the fuel retail and marketing industry.¹ AACE’s members include owners and operators of convenience stores, public travel facilities, and truckstops that provide goods and services to customers at locations throughout New Jersey and across the United States, including retail consumer goods, vehicle repair and service products, food, and importantly, fuel.

AACE commends the Board for establishing an innovative and market-based EV charging framework that prohibits EDC’s from operating EV supply equipment (“EVSE”) unless it is located in an Area of Last Resort as defined in the Board’s September 2020 Order. The Board’s market-based regulatory policy that promotes fair competition in the state creates more certainty for AACE’s members and therefore incentivizes them to invest in this space. Given the recent influx of federal funds through the National Electric Vehicle Infrastructure (“NEVI”) Program coupled with supply chain issues delaying the delivery of EVSE, we agree with staff that it is necessary to extend the deadlines for EDC’s to establish Areas of Last Resort by 12 months for overburdened communities and 18 months for other areas.

¹ AACE’s members include Casey’s Retail Company, Circle K, Kum & Go, Kwik Trip, Love’s Family of Companies, QuikTrip Corporation, RaceTrac, Inc., and Travel Centers of America, Inc.

New Jersey is slated to receive over \$104 million over five years from the NEVI program to build a statewide EV charging network. Extending the deadlines for locations to be designated as Areas of Last Resort will ensure that the benefits of these funds are maximized while also allowing EDCs to step in if there are locations that take longer to see private investment. The purpose of the NEVI funding is to catalyze a competitive and robust EV charging market through private investment. Allowing EDCs to own and operate EV chargers under the current deadlines would be premature and run counter to the intended impact of these federal funds.

Private businesses are prepared and eager to invest in EV charging services in New Jersey. In order for this nascent EV charging market to develop, the Board should continue to eliminate barriers to private investment and establish a level and competitive playing field for EV charging providers. For the reasons previously stated, we encourage the Board to adopt Staff's proposed program modification to extend the deadlines for Area of Last Resort designation.

Thank you for your consideration of AACE's comments. We look forward to working with you on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Robert Baratta". The signature is written in a cursive, flowing style.

Robert Baratta
Americans for Affordable Clean Energy