

State of New Jersey
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Board of Public Utilities



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NOTICE

IN THE MATTER OF THE PETITION OF ROCKLAND ELECTRIC COMPANY FOR APPROVAL OF AN ELECTRIC VEHICLE PROGRAM, ESTABLISHMENT OF AN ELECTRIC VEHICLE SURCHARGE, AND FOR OTHER RELIEF

Docket No. [EO20110730](#)

IN THE MATTER OF THE VERIFIED PETITION OF JERSEY CENTRAL POWER & LIGHT COMPANY FOR APPROVAL OF AN ELECTRIC VEHICLE PROGRAM AND AN ASSOCIATED COST RECOVERY MECHANISM

Docket No. [EO21030630](#)

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

Docket No. [EO18020190](#)

IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR APPROVAL OF ITS CLEAN ENERGY FUTURE – ELECTRIC VEHICLE AND ENERGY STORAGE (“CEF-EVES”) PROGRAM ON A REGULATED BASIS

Docket No. [EO18101111](#)

REQUEST FOR COMMENTS

The New Jersey Board of Public Utilities (“NJBP” or “Board”) invites stakeholders to provide written comments on this Notice regarding an update to the timelines of eligibility for areas of last resort in the electric distribution companies’ (EDCs’) electric vehicle (“EV”) programs.

BACKGROUND AND PROCEDURAL HISTORY

By Board Order dated September 23, 2020, the New Jersey Board of Public Utilities (“Board” or “BPU”) established Minimum Filing Requirements (“MFRs”) and directed all EDCs to file EV proposals by February 28, 2021.¹ The order also prohibited EDCs from owning or operating electric vehicle service equipment (“EVSE”) unless the EVSE is located in an “Area of Last Resort” as the term is defined in the Board’s September 2020 Order. Areas of Last Resort are defined as “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.”²

On October 11, 2018, Public Service Electric and Gas Company (“PSE&G”) filed a petition with the Board seeking

¹ In re Minimum Filing Requirements for Light-Duty Publicly-Accessible Electric Vehicle Charging, BPU Docket No. QO20050357, Order dated September 23, 2020 (the “September 2020 Order”).

² Id. at 21.

approval of its EV Program. PSE&G proposed a Utility Ownership Model for Public Direct Current (“DC”) Fast Charger ownership, which would “only be utilized if the competitive market is unable to support the DC Fast Charging station development using the Third-Party Ownership Model.” By Board Order dated January 27, 2021, the Board approved PSE&G’s EV Program.³

On February 23, 2018, Atlantic City Electric Company (“ACE”) filed a petition with the Board seeking approval of its EV Program. The ACE EV Program provides that ACE “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 September 2020 Order.” By Board Order dated February 17, 2021, the Board approved ACE’s EV Program.⁴

On November 23, 2020, Rockland Electric Company (“RECO”) filed a petition with the Board seeking approval of its EV Program. The RECO EV Program states “the Company will not own or operate EV chargers for public use unless and until the Board has authorized RECO to own and operate such facilities as a provider in Areas of Last Resort consistent with the requirements set forth in the [September 2020] Order.” By Board Order dated October 12, 2022, the Board approved RECO’s EV Program.⁵

On March 1, 2021, Jersey Central Power and Light Company (“JCP&L”) filed a petition with the Board seeking approval of its EV Program. The JCP&L EV Program states that “that there will be no Last Resort DCFC Subprogram or Overburdened Communities Subprogram in this Program.” By Board Order dated June 8, 2022, the Board approved JCP&L’s EV Program.⁶

PROPOSED PROGRAM MODIFICATION

In the time since the Board established the MFRs and approved the EDCs’ respective EV Programs, the EVSE market has seen significant supply chain issues, which have led to long delays in delivery and installation of EVSE. This delay in the delivery and installation of EVSE may cause locations to satisfy the requirements of Areas of Last Resort even though said areas may have generated private investment interest under normal market conditions. However, based on Staff’s observations and experiences in the EVSE market, Staff believes the market has recently begun to return to normal delivery and installation timelines, which may generate private investment interest in locations that do not yet have EVSE. Therefore, Staff recommends extending the timeline for locations to generate private investment interest before qualifying as Areas of Last Resort.

Additionally, the federal government has established billions of dollars in funding for the National Electric Vehicle Infrastructure (“NEVI”) Program, which will provide formula funding to states to deploy charging stations and establish an interconnected network to facilitate data collection, access, and reliability.⁷ New Jersey will receive \$104.4 million of this federal formula funding over the next 5 years to incentivize public EV charging.

Based on the influx of funding for public charging and the EVSE market recovering from supply chain issues, Staff recommends extending the deadlines for EDCs to establish Areas of Last Resort by 12 months for overburdened communities and 18 months for other areas. Staff therefore recommends that the time for a location to qualify as an Area of Last Resort be adjusted to locations that have not generated private investment interest for a minimum of 24 months after the EDC program has begun, for overburdened communities, or 36 months for other areas.

³ In re the Petition of Public Service Electric and Gas Company for Approval of its Clean Energy Future – Electric Vehicle and Energy Storage (“CEF-EVES”) Program on a Regulated Basis, BPU Docket No. EO18101111, Order dated January 27, 2021.

⁴ In re the Petition of Atlantic City Electric Company for Approval of a Voluntary Program for Plug-In Vehicle Charging, BPU Docket No. EO18020190, Order dated February 17, 2021.

⁵ In re the Petition of Rockland Electric Company for Approval of an Electric Vehicle Program, Establishment of an Electric Vehicle Surcharge, and for Other Relief, BPU Docket No. EO20110730, Order dated October 12, 2022.

⁶ In re the Verified Petition of Jersey Central Power & Light Company for Approval of an Electric Vehicle Program and an Associated Cost Recovery Mechanism, BPU Docket No. EO21030630, Order dated June 8, 2022.

⁷ National Electric Vehicle Infrastructure (NEVI) Program, <https://www.fhwa.dot.gov/environment/nevi/>.

The deadline for comments on this matter is 5 p.m. EST on August 7, 2023. Stakeholders should submit their comments to the appropriate docket for their respective proceeding in which they are a party of record. Comments will be submitted to one of the four following dockets:

PSE&G's EV Program: Docket No. EO18101111

JCP&L's EV Program: Docket No. EO21030630

ACE's EV Program: Docket No. EO18020190

RECO's EV Program: Docket No. EO20110730

Comments may be submitted directly to the specific dockets listed above using the "Post Comments" button on the Board's [Public Document Search](#) tool. Comments are considered public documents for purposes of the State's Open Public Records Act. Only public documents should be submitted using the "Post Comments" button on the Board's Public Document Search tool. Any confidential information should be submitted in accordance with the procedures set forth in N.J.A.C. 14:1-12.3. In addition to hard copy submissions, confidential information may also be filed electronically via the Board's e-filing system or by email to the Secretary of the Board. Please include "Confidential Information" in the subject line of any email. Instructions for confidential e-filing are found on the Board's webpage <https://www.nj.gov/bpu/agenda/efiling/>.

E-mailed and/or written comments may also be submitted to:

Sherri L. Golden, RMC

Secretary of the Board

44 South Clinton Ave., 1st Floor

PO Box 350

Trenton, NJ 08625-0350

Phone: 609-292-1599

Email: board.secretary@bpu.nj.gov

Sherri L. Golden

Sherri L. Golden, RMC
Secretary of the Board

Dated: July 21, 2023