



Via eFiling and Electronic Mail to board.secretary@bpu.nj.gov

Ms. Christine Guhl-Sadovy, President
New Jersey Board of Public Utilities
44 South Clinton Avenue, 1st floor
Trenton, NJ 08625-0350

Re: Letter from Environment New Jersey, the Sierra Club, Natural Resources Defense Council, and New Jersey Progressive Equitable Energy Coalition regarding Medium and Heavy-Duty Electric Vehicle Charging Ecosystem, Docket No. QO21060946

Dear President Guhl-Sadovy:

We write as environmental and environmental justice advocates, commenters in these proceedings, and parties who have frequently engaged in clean energy matters before the New Jersey Board of Public Utilities (Board), to urge the Board to finalize the still ongoing Medium and Heavy Duty Electric Vehicle Charging Ecosystem (MHD) docket. The transportation sector is the largest greenhouse gas emissions source in New Jersey, and the Board must act now to protect the environment and public health from further harm. We ask that the Board issue its final orders on a timeline requiring utility plans to be filed with the Board by the fall of 2024, with implementation in early 2025.

Over the last several years, New Jersey has committed to maximally electrifying the transportation sector, beginning with the 2019 Energy Master Plan (EMP). Effective January 2020, state law required that by the end of that year, the Department of Environmental Protection in consultation with the Board “shall establish . . . goals for vehicle electrification and infrastructure development that address Medium and Heavy Duty on-road diesel vehicles and associated charging infrastructure . . .” N.J.S.A. 48:25-3(a)(10). The state set the statutory goal that 10% of new bus purchases would be zero-emission vehicles by 2024, increasing to 50% after 2026. N.J.S.A. 48:25-3(a)(9). In July 2020, New Jersey signed a joint memorandum of understanding with other states committing to advance the market for electric MHD vehicles, with a goal that 30% of all new MHD vehicle sales would be zero-emission vehicles by 2030, and 100% by 2050. To meet these commitments, the Board must act now.

On June 30, 2021, the Board opened the MHD docket with the first straw proposal and notice of a public meeting, emphasizing that “Staff is keenly aware of the need to move expeditiously toward a low-carbon future . . . Staff anticipates that resolving key issues around MHD vehicle electrification as part of a generic docket will be more expeditious than addressing these same policy issues in isolated EDC filings.” First Straw Proposal at 8. The Board held a series of stakeholder meetings in August and September of 2021 and many groups, including the signers of this letter, filed comments by the October deadline. We are deeply thankful for the work that the Board did to dramatically improve the second straw proposal issued in December 2022, which clearly incorporated the extensive public feedback that the

**one gateway center, suite 2600 newark, nj 07102
973.424.1166 info@easternenvironmental.org**



Board received. The Board opened another round of stakeholder meetings and comments on the second straw, and many groups filed comments by the January 2023 deadline. Despite the Board's work and an early emphasis on speed, it has now been 15 months since the close of the comment period, and there has been no further action or other apparent progress on this critical docket.

The delay in finalizing the MHD vehicle straw proposal jeopardizes the achievement of vital statewide decarbonization efforts set out in the EMP, especially as the Board embarks on the required five-year update of the EMP. The delay in make-ready infrastructure is also causing negative impacts on the ground, including unnecessary challenges faced by school districts with electric school buses that need charging infrastructure. And the delay means that ongoing emissions from MHD vehicles continue to contribute to climate change and harm public health, particularly in overburdened communities.

Given New Jersey's commitment to maximally electrify the transportation sector, and the ongoing harm to the environment and public health from failing to do so, we request that the Board expeditiously issue all necessary MHD orders that would require that the utilities submit filings by no later than the fall of 2024, with implementation in early 2025. We welcome an opportunity to discuss this further.

Sincerely,

/s/ Kaitlin Morrison

Date: May 7, 2024

Kaitlin Morrison, Esq.
Staff Attorney
Eastern Environmental Law Center
kmorrison@easternenvironmental.org

On behalf of:

Doug O'Malley
Director
Environment New Jersey
domalley@environmentnewjersey.org

Donna De Constanzo
Northeast Regional Director, Climate & Energy
Natural Resources Defense Council
ddecostanzo@nrdc.org

Anjuli Ramos-Busot
New Jersey Chapter Director
Sierra Club
anjuli.ramos@sierraclub.org

Nicole Miller
Vice Chair
New Jersey Progressive Equitable Energy
Coalition
nicolemiller97@gmail.com

cc: Taryn Boland, NJBPU Chief of Staff, Henry Gajda, NJBPU Deputy Chief of Staff, Bob Brabston, NJBPU Executive Director, Veronique Oomen, Director, Office of Clean Energy, Cathleen Lewis, E-Mobility Program Director, Office of Clean Energy

one gateway center, suite 2600 newark, nj 07102
973.424.1166 info@easternenvironmental.org