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## PUBLIC SERVICE COMMISSION

March 7, 2024

Chair Brian Feldman  
Senate Education, Energy and Environment Committee  
2 West, Miller Senate Office Building  
Annapolis, MD 21401

**RE: SB 951 – Favorable with Amendments - Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use**

Dear Chair Feldman and Committee Members:

SB 951 aims to create standards for all retail use electric vehicle charging stations in Maryland which in theory should improve electric vehicle (“EV”) drivers’ experience within the state. This will be in collaboration between the Comptroller Office and the Public Service Commission (“The Commission”). Last year the Commission established reliability standards for utility owned charging stations as required by HB 834 (2023) which established reliability and reporting standards for **utility** owned EV charging stations. Several of the items required to be reviewed in this legislation were discussed and reviewed within the Commission’s EV working group in the context of utility owned charging stations.

The Commission is supportive of the efforts to further improve the deployment of EV’s within Maryland. This is seen through efforts such as the 5-year utility EV pilot, the Commission’s ongoing EV work group, and the Commission’s active participation with Maryland’s Zero Emission Electric Vehicle Infrastructure Council. The Commission supports SB 951’s envisioned collaborative effort with the Comptroller’s Office in the development of regulations and required reports. To be clear, the Commission’s authority is currently limited to only utility owned equipment and SB 951 does not change this authority.

The Commission requests the following amendments to provide clarity regarding applicability of SB 951 and some flexibility regarding the applicable standards:

- (1) Under the Commission’s oversight, utility owned equipment is currently required to operate to certain standards established by the Commission as required by HB 834 (2023) under PUA 7-901 – 7-905. The Commission requests clarification if SB 951 or the Commission’s approved standards govern utility owned EV Equipment.

- (2) The Commission notes that there may be some business cases where it is not clear if EV Supply Equipment is subject to the rules of SB 951. Such use cases include:
- a. Commercial businesses that have EV Supply Equipment for their own use
  - b. Multifamily buildings with common use EV Supply Equipment
  - c. Those who provide electricity free of charge
- To help clarify if these use cases and others are subject to SB 951 additional language or definitions regarding what is “retail use of EV Supply Equipment” could be added.
- (3) SB 951 lists 19 requirements for consideration when establishing regulations but also requires the regulations to adhere to the Federal Highway Administration’s National Electric Vehicle Infrastructure Formula Program (“NEVI”) standards, which are federal regulations for EV charging equipment that receives certain federal funds. When establishing the utility standards under HB 834 (2023) there were times NEVI regulations were either not clear or may not have made sense for the rules under development. An amendment that still gives deference to NEVI standards but permits the implementing agency the ability to deviate from the standards for good cause would provide the flexibility when developing regulations.

Finally, the Commission is aware that there may be an amendment that establishes a workgroup to further study the issues within this legislation and the required resources and oversight to implement the legislation. The Commission can support a work group established to explore these issues further.

The Public Service Commission appreciates the opportunity to provide informational testimony for SB 951. We look forward to working with the sponsor on any recommended changes. Please contact Christina Ochoa, Director of Legislative Affairs a [christina.ochoa1@maryland.gov](mailto:christina.ochoa1@maryland.gov) if you have any questions.

Sincerely,



Frederick H. Hoover, Chair  
Maryland Public Service Commission