

STATE OF MARYLAND



OFFICE OF THE CHAIRMAN

JASON M. STANEK

PUBLIC SERVICE COMMISSION

March 2, 2023

Chair C.T. Wilson
Economic Matters Committee
House Office Building, Room 231
Annapolis, Maryland 21401

RE: HB 834 – INFORMATION with Amendments – Electric Vehicle Charging Infrastructure – Requirements (Electric Vehicle Charging Reliability Act)

Dear Chair Wilson and Committee Members:

I write today to provide information regarding HB 834 – Electric Vehicle Charging Infrastructure – Requirements (Electric Vehicle Charging Reliability Act). HB 834 requires the Commission to expand the current EV Pilot¹ to permit participating electric companies to install EV charging stations in multifamily dwellings in underserved communities. Many of the utility pilot programs are currently scheduled to end in December 2023, although some programs will conclude in 2025. HB 834, as drafted, does not provide a cap on the costs associated with deploying an undefined number of utility-owned charging stations at multifamily dwellings. This raises significant cost concerns, especially when the bill allows for the installation of both Level 2 and much more expensive DC fast chargers. At minimum, establishing a cap that aligns with the bill's underlying policy goals will help the utilities control their costs, consistent with the Commission's statutory mandate to maintain just and reasonable rates. HB 834 will also increase utility costs for distribution system-related work and upgrades. These costs will be passed through to the ratepayers.

HB 834 also sets a reliability or average uptime requirement of 97 percent for all utility-owned and operated EV charging stations. On February 15, 2023, the U.S. Departments of Transportation and Energy finalized new EV charging reliability standards similarly requiring a 97 percent average annual uptime for publicly accessible charging stations funded under the National Electric Vehicle Infrastructure ("NEVI") Formula Program. In anticipation of this federal rule, the Commission issued an order in January, directing the Commission's EV work group to submit finalized reliability standards once the NEVI standards were released. HB 834's uptime requirement will align utility EV charger reliability with federal and Commission

¹ PSC Case Docket No. 9478.

standards, which will ultimately lead to cost savings as the utilities procure EV charging equipment that meets national standards.

The Commission has concerns with HB 834's directive for the Commission to order participating electric companies to maintain an adequate number of staff to maintain the reliability of their charging networks. The bill further requires the Commission to determine what this number should be. The Commission's regulatory oversight focuses on a utility's ability to deliver safe, reliable, and affordable services and programs that meet statutory standards and goals. If a utility fails in this regard, the Commission will seek appropriate remediation measures, including financial and/or operational remedies. Absent extraordinary circumstances, it is not appropriate for the Commission to set staffing standards for the utilities. The Commission therefore requests an amendment striking section 7-905 of the bill.

I appreciate the opportunity to provide information on HB 834. Please contact Lisa Smith, Director of Legislative Affairs, at (410) 336-6288 if you have any questions.

Sincerely,



Jason M. Stanek
Chairman