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Subcommittee



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THE MARYLAND HOUSE OF DELEGATES  
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Senator Brian Feldman  
Chair, Senate Education, Energy, and Environment Committee  
2 West Miller Office Building  
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Mr. Chairman,

I am writing in support of HB 834, the Electric Vehicle Charging Reliability Act.

Entities utilizing taxpayer or ratepayer funds to install and operate electric vehicle (“EV”) charging infrastructure should be held to increased accountability and transparency requirements. HB 834 will hold utilities participating in the Public Service Commission’s (“PSC”) EV Pilot Program (“Pilot program”) to the same reporting requirements as private entities participating in the federal National Electric Vehicle Infrastructure (“NEVI”) program.

In 2019, the Public Service Commission (“PSC”) approved an EV Pilot Program (“Pilot program”), allowing BGE, Pepco, Potomac Edison and later SMECO (“utilities”) to install public charging equipment around the State.<sup>1</sup> The program was narrowly tailored to allow these utilities to install chargers on property leased, owned, or occupied by state, county, or municipal government.<sup>2</sup> The program also allows utilities to offer residential and non-residential rebates to incentivize individuals and commercial entities to install EV Chargers. To date, over 960 utility owned charging stations have been installed.<sup>3</sup>

Components of the Pilot program will expire at the end of 2025. Like our considerations regarding other PSC programs, the General Assembly will need to evaluate the results of the Pilot program and determine whether utilities are sufficiently capable of installing, operating, and maintaining EV charging stations. HB 834 requires utilities to provide more detailed information regarding their charging infrastructure, while also expanding the pilot program to account for market failures that continue to impact underserved communities.

Throughout the Pilot program, utilities have consistently lauded their ability to install and maintain reliable chargers. Some utilities have reported an uptime of 99% in their semi-annual progress reports, while others have stated that leaving utilities out of the EV charging infrastructure market

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<sup>1</sup> PUB. SERV. COMM’N MD., *In the Matter of the Petition of the Electric Vehicle Work Group for Implementation of a Statewide Electric Vehicle Portfolio* (Jan. 14, 2019), <https://www.psc.state.md.us/search-results/?q=9478&x.x=12&x.y=14&search=all&search=case>.

<sup>2</sup> *Id.*

<sup>3</sup> PUB. SERV. COMM’N MD., *EV Pilot Fact Sheet* (2023), <https://www.psc.state.md.us/wp-content/uploads/PC44-EV-Pilot-Fact-Sheet-4.pdf>

could lead to “electric system safety and reliability risks.”<sup>4</sup> As the Pilot program has progressed, utilities have also sought expansions to allow them to further participate in the EV charging installation marketplace.

Electric companies will be vital partners in the effort to increase electrification. The size and scope of their participation must be carefully determined by lawmakers in the coming years. HB 834 seeks to increase and specify the data provided by the utilities to the PSC regarding the reliability of their chargers, so lawmakers can make informed decisions regarding the future role of utilities in installing EV chargers. First, the bill establishes a uniform definition of uptime and sets a uniform goal of 97% uptime for all utility owned chargers. This definition and goal match the final regulations regarding the National Electric Vehicle Infrastructure (“NEVI”) program administered by the Federal Highway Administration (“FHWA”).<sup>5</sup> Additionally, the bill mandates quarterly reporting requirements that mirror the NEVI program requirements, requiring utilities to report the following data:

- The location of the EV charging station, and for each charging station:
  - Charging station start and end times and rates of successful completion;
  - The total amount of electricity dispensed into an electric vehicle for each charging session;
  - The peak amount of electricity dispensed for each charging station;
  - Uptime each of the previous three months;
  - The cost of electricity needed to operate each station for the previous three months;
  - Maintenance and repair costs for each of the previous three months;
  - The cost of acquiring real property for use as an EV charging station;
  - The cost of acquiring and installing the charging equipment;
  - The cost of acquiring and installing distributed energy resources;
  - The cost of connecting to the electric grid and any applicable connection upgrades; and
  - The capacity of each distributed energy resource used by an EV charging station.

With this information, the PSC and lawmakers will be able to gain an accurate depiction of the utilities ability to install and maintain reliable EV charging infrastructure.

This bill also addresses concerns regarding the repair of broken charging stations. Consumer experiences have demonstrated that broken chargers often have multiple repair tickets filed and remain broken for several weeks.<sup>6</sup> Since third party entities employed by the utilities often do not provide staff to repair chargers once they are installed, it is up to the utilities to repair broken chargers.<sup>7</sup> HB 834 mandates that utilities participating in the Pilot program maintain an adequate

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<sup>4</sup> See BALT. GAS & ELEC. ET. AL., *Comments of the Signatory Parties (1) in Response to the Maryland Office of People’s Counsel’s Letter Recommending an Evidentiary Process and (2) In Further Support of the Petition for Implementation of a Statewide Electric Vehicle Portfolio* (Mar. 27, 2018), (<https://www.psc.state.md.us/search-results/?q=9478&x.x=12&x.y=14&search=all&search=case>).

<sup>5</sup> See 23 C.F.R. § 680.

<sup>6</sup> See Lanny Hartmann, *Public Comments* (Sept. 12, 2022), <https://www.psc.state.md.us/search-results/?q=9478&x.x=12&x.y=14&search=all&search=case>; See also

<sup>7</sup> See ChargePoint, *Comments of ChargePoint on Semi-Annual Progress Report of Baltimore Gas and Electric Company, Delmarva Power & Light Company, and Potomac Electric Power Company Regarding the*

number of staff to monitor, assess, and repair their EV charging stations. This reform was also cited in a recent PSC report regarding EV charger reliability, stating that several parties engaged in the NEVI rulemaking process “stressed the importance of allowing all properly trained technicians to service Electric vehicle supply equipment for customer experience and reliability purposes.”<sup>8</sup>

Finally, this bill expands the Pilot program to determine whether utilities are capable of correcting market failures that have impacted underserved communities. Currently, there is a demonstrative lack of EV charging infrastructure in underserved communities, with significant gaps in neighborhoods in Prince George’s County, Cumberland, and on the Eastern Shore.<sup>9</sup> Recognizing the failure of private industry to place EV charging stations in underserved communities, the PSC has authorized narrowly tailored rebate and installation programs to reduce this disparity. So far, the installation program has had considerably more success than the rebate program for multi-unit dwellings with nearly 200 multifamily chargers either rebated or installed through June 30, 2022.

HB 834 seeks to close the gap created by private industry by expressly expanding the Pilot program to allow utilities to install EV charging stations in multifamily dwellings in underserved communities through December 31, 2025. Utilities would be required to report the same detailed information for these chargers as all other previously installed utility owned chargers.

HB 834 will ensure all entities that use public funds to install EV chargers are held to a uniform standard to improve consumer experience and incentivize more drivers to switch to EVs. HB 834 will also allow lawmakers to make more informed decisions regarding the role of utilities in promoting EVs moving forward.

Thank you for your consideration, and I urge a favorable report on HB 834.

Respectfully,



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Delegate David Fraser-Hidalgo

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*Implementation of Approved Electric Vehicle Charging Program Offerings* (Oct. 6, 2021), <https://www.psc.state.md.us/search-results/?q=9478&x.x=12&x.y=14&search=all&search=case>.

<sup>8</sup> See PUB. SERV. COMM’N MD., *Public Conference 44 Electric Vehicle Work Group Interim Reliability Summary Report* (Dec. 1, 2022).

<sup>9</sup> See Jan-Michael Archer M.S. and Sacoby Wilson Ph.D., MD EJSCREEN v2.0, Maryland Department of the Environment (n.d.), <https://p1.cgis.umd.edu/ejscreen/>; See also Maryland Energy Administration, Electric Vehicle Supply Equipment (EVSE) Rebate Program Funding Opportunity Announcement (FOA) (n.d.), [FY23 EVSE Rebate Program FOA 11-23-22.docx \(maryland.gov\)](#)