

New Jersey Response to Request for Information on the Development of Guidance for Electric Vehicle Charging Infrastructure Deployment

Docket No. FHWA-2021-0022

Responses developed by the New Jersey Department of Environmental Protection, New Jersey Board of Public Utilities and the New Jersey Economic Development Authority and submitted January 10, 2022

I. Introduction

New Jersey's approach to the enormous challenge of meeting transportation electrification goals, the demand for electric vehicles, and the charging infrastructure needed to support them, involves multiple agencies working in concert to build a comprehensive EV ecosystem. This "all of government" approach, which brings together the New Jersey Department of Environmental Protection ("DEP"), New Jersey Board of Public Utilities ("NJBPU") and the New Jersey Economic Development Authority ("EDA"), highlights the need for federal EV infrastructure funding to be flexible enough to address the needs of states, like New Jersey, that already have well-developed EV policies, as well as for those states that have less developed policies. In addition, a flexible approach allows States to quickly adjust programs in a rapidly changing landscape to best encourage accelerated adoption of electrified transportation.

Additionally, New Jersey's restructured retail electricity markets and preference for competition in the provision of retail electricity service, which extends to EV charging as well, requires additional flexibility so that states can utilize federal funding in a manner that meets their unique needs. Relevant proceedings that describe New Jersey's holistic approach to EV infrastructure deployment are described in more detail below.

II. The statutory considerations for the EV Charging Program, and New Jersey's corresponding recommendations, are as follows:

STATUTORY CONSIDERATION #1: The distance between publicly available EV charging infrastructure.

NJ RECOMMENDATION: New Jersey recommends that federal funding criteria for publicly available EV charging ("EVSE") –include both corridor charging and community charging – following the model outlined below:

Corridor Charging Recommendations:

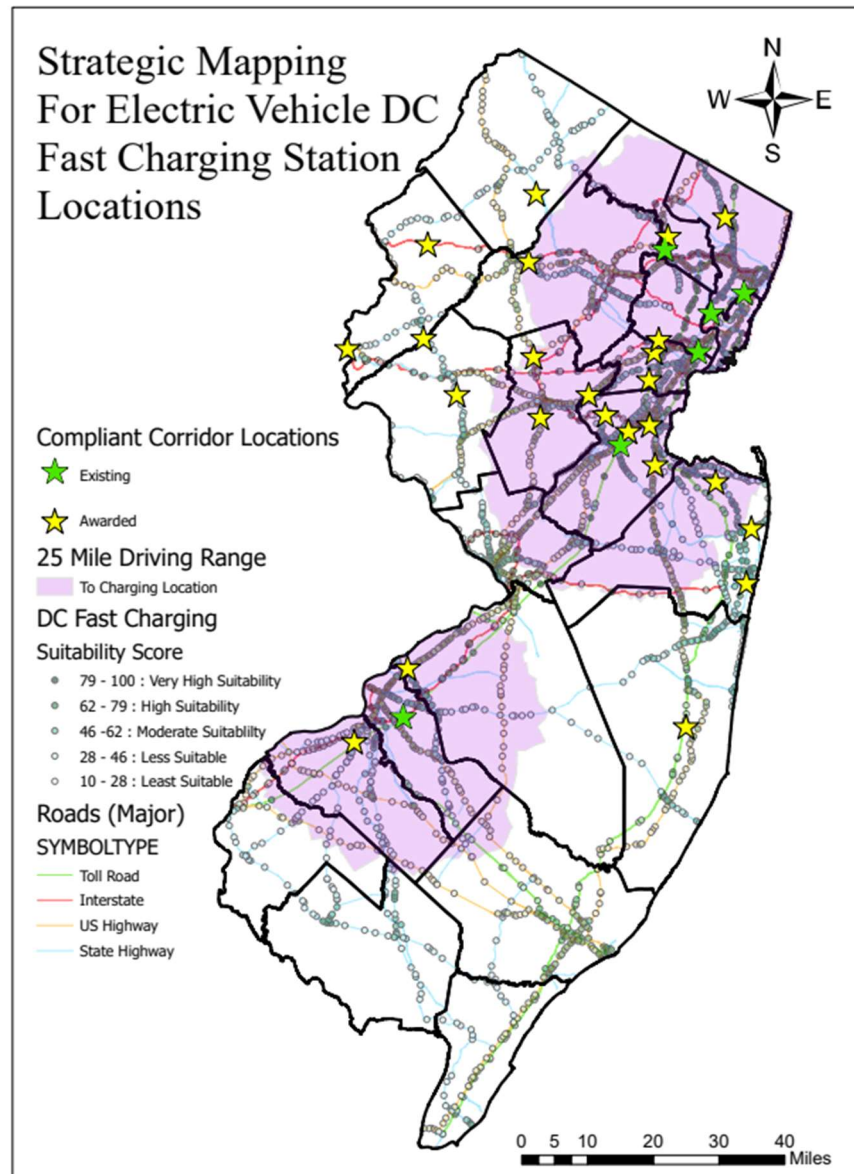
The federal EV charging infrastructure funding programs should prioritize the funding of corridor charging locations based on driving distance between charging locations, charging demand/traffic volume, distance from corridors, and availability of nearby amenities. Additional factors that should be considered include equity and infrastructure upgrade costs. FHWA should consider adopting the following corridor charging criteria that are currently in effect in New Jersey as these criteria were thoughtfully developed around real-world data and detailed assumptions, with a bias towards supporting environmental justice communities:

- NJ EV Law (P.L. 2019, c. 362) requires that the corridor locations have at least 2 charging ports with no more than 25 miles between charging locations. However, most distances

between chargers on corridors tend to fall closer to 12-20 miles due to higher population density or charger demand.

- The NJ EV Law also requires that fast charging equipment at corridor locations comply with CHAdeMO, CCS, or other non-proprietary future standards (i.e., Tesla Superchargers are not compliant at this time).
- For corridor charging stations, each port must be capable of providing a minimum of 150kW continuous to each vehicle that is charging. If multiple vehicles may be charged simultaneously at the same station or location, the power available to each vehicle shall not be less than 150kW. However, minimum charging levels may need to be increased in future years to serve higher usage rates and to provide faster charging rates.
- Corridor charging locations should receive higher priority based on these factors:
 - Higher number of interstate connections
 - Greater amount of thru traffic
 - Larger GDP impact of developing the location
 - Higher percentage of in-state vehicles on the road at the location
 - Greater reduction on average vehicle miles travelled (“VMT”)

The below map provides scoring metrics to determine best charging locations and current coverage within the 25-mile minimal distance requirement between corridor charging locations.



Source: <https://www.drivegreen.nj.gov/dg-partnership-to-plugin.html>

Community charging recommendations:

The federal EV charging infrastructure funding program should consider defining community chargers as charging locations that are established in a town center, commercial area, retail center, or near concentrations of multi-family dwellings, to provide vehicle charging services to local plug-in electric vehicle drivers near where they live and work. Next, FHWA should consider prioritizing funding based on the MJ Bradley Regional EV Infrastructure Location Identification Tool (ILIT) Version 4.1, which is a peer reviewed and industry accepted tool, and using the following criteria:

- “Staggered distribution” metric = 50% population density and 50% nearby activity.
- Prioritize counties that do not have any community chargers.
- Prioritize proposals that are within ¼ mile walking distance to amenities.

- Prioritize location designs that have a solar or battery storage component to them; and require a minimum of 50kw per port.

STATUTORY CONSIDERATION #2: Connections to the electric grid, including electric distribution upgrades; vehicle-to-grid integration, including smart charge management or other protocols that can minimize impacts to the grid; alignment with electric distribution interconnection processes, and plans for the use of renewable energy sources to power charging and energy storage.

NJ RECOMMENDATION: New Jersey recommends prioritizing funding in states that have programs already in place at the state and utility level to accelerate the expansion of public charging and to further reduce delay in the expansion of public charging networks. We would encourage the use, and federal funding support of, the grid upgrades necessary to facilitate widespread adoption of electric vehicle charging infrastructure and the technology necessary to enable active demand management of EV charging behind-the-meter.

In New Jersey, the Board of Public Utilities has developed a “shared responsibility” model for funding light-duty EV charging infrastructure. Under this model, the utilities invest in (and earn on) the wiring and backbone infrastructure necessary to enable a robust EV ecosystem and the private sector owns, operates, and advertises the actual charging station. This ensures that charging station infrastructure costs will be generally borne by private investors, with no recourse to ratepayer funds, except in limited circumstances where the utility is permitted to own chargers where the private market has failed to provide them. Again, flexibility to adapt federal funds to existing state programs is key.

In order to accelerate public charging infrastructure development and to reduce delays in infrastructure expansion we recommend that FHWA pursue the following recommendations:

- Allow states that already have programs in place to use federal funding to kick start investment by leveraging existing programs to encourage rapid expansion of the public charging market.
- Allow federal funds to be used to accelerate the build out of the utility grid upgrades necessary to accommodate rapidly growing EV demand, which the NJBPU has identified as a critical gating item to deploying EV charging infrastructure.
- Encourage the use, and provide sufficient funding support for, behind the meter energy storage systems, including funding “make ready” installations.¹
- Allow states to fund aggressive behind-the-meter demand management solutions in order to ensure that EV load does not unduly increase electric rates or cause unnecessary strain on the electric grid. Such solutions may include managed charging programs, Vehicle2Grid, or co-location of EV charging and energy storage devices.

¹ The Board defined “Make Ready” or “Charger Ready” as “the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and DC Fast Chargers. Making a site Charger Ready includes expenses related to service panels, junction boxes, conduit, wiring, etc., necessary to make a particular location able to accommodate Electric Vehicle Service Equipment on a “plug and play” basis.” *IN THE MATTER OF STRAW PROPOSAL ON ELECTRIC VEHICLE INFRASTRUCTURE BUILD OUT*, Docket # QO20050357 (May 18, 2020) available at: https://www.nj.gov/bpu/pdf/publicnotice/Notice_Stakeholder_Meeting_EV_Straw_Proposal_5-18-20.pdf.

NJ Grid Infrastructure Programs:

In order to support the growth of electrified transportation infrastructure, and prepare the grid for necessary upgrades, New Jersey has been working diligently with all major state electric utilities to develop public charging infrastructure programs with minimum filing requirements. These requirements ensure financial support for the make-ready for EVSE infrastructure projects, rate reforms that encourage managed charging, and the implementation of consistent data requirements across all state public EVSE programs.

Additionally, the NJBPU is pursuing the implementation of programs to support the growth of EVSE infrastructure for Medium-and Heavy-Duty (MHD) electric vehicles. States that have encouraged or required utility programs, such as the ones outlined here, can more readily leverage federal funding to supplement utility and state efforts to provide needed investment in EV infrastructure. We encourage the FHWA to direct funds to states and state entities that have already begun this work in order to jump start infrastructure investment.

The following provides a detailed breakdown of NJ's utility EVSE programs for FHWA's consideration:

- NJBPU has been working with the 4 regulated electric utilities to prepare for public charging infrastructure.
 - 2 of the 4 utilities currently have programs running in addition to public corridor and community charging programs.
 - The Board is currently reviewing the remaining 2 filings and anticipates programs will launch in 2022.
- NJBPU issued minimum filing requirements ([found here](#)) directing utilities to create programs to incentivize Make-Ready costs for public charging, which include:
 - Incentives for residential Make-Ready in order to collect charging data to address future EV rate cases.
 - Incentives for Make-Ready for workplace and Multi-Unit Dwelling ("MUD") charging.
 - Providing Demand Charge Solutions in the early days of the market
 - Requiring data collection as part of participation to better understand usage and to address future EV rate cases.
 - Encouraging managed charging through residential time of day rates
- The Board also recently released a Straw Proposal on MHD charging ([Notice Medium Heavy Duty EV Straw Proposal.pdf \(nj.gov\)](#)), including larger light duty fleets and anticipates similar utility involvement in MHD charging programs in the future. The MHD Straw Proposal:
 - Includes technical assistance for fleets to better address grid impact concerns and to encourage proper planning from a utility and developer perspective.
 - Requires utilities to provide regularly updated capacity maps to better understand where there are grid capacity concerns.

STATUTORY CONSIDERATION #3: The proximity of existing off-highway travel centers, fuel retailers, and small businesses to EV charging infrastructure acquired or funded under the Program.

NJ RECOMMENDATION: The proximity of charging infrastructure to off-highway travel centers, fuel retailers, small businesses, community characteristics, and the roads themselves is important. NJ

recommends that federal funding be prioritized based on the response to statutory consideration #1 above and the following:

- The NJ EV Law requires that all charging locations along corridors must be within 1 mile of driving distance from a major corridor exit/entrance.
- In some cases, sites can be selected that are slightly more than a 1 mile away from the corridor due to location sighting not being practical closer to the corridor.
- Preference should also be given to locations along corridors with amenities. However, more remote rest areas should also be considered in certain cases and states should be provided with the flexibility to use federal funding for associated safety features (e.g., lighting).
- While corridor charging is important to intrastate travel, community charging is also vital to encouraging the rapid deployment of EVs for Multi-unit Dwelling (“MUD”) residents and small businesses. Having access to charging in your own neighborhood provides assurances that there will be the necessary available charging on a regular basis and ensures universal access to charging infrastructure in a convenient manner.
- New Jersey encourages the FHWA to follow the following siting criteria for community charging locations:
 - The most important factors in location decisions for community charging are population density and nearby activity (access to amenities). The higher the population density, the less likely residents will have access to home charging solutions, which makes those locations essential to providing equitable public charging access.
 - Prioritize community charging locations that are within ¼ mile walking distance to amenities and dense residential areas.
 - Prioritize areas that are primarily residential MUDs and highly dependent on street parking.

STATUTORY CONSIDERATION #4: The need for publicly available EV charging infrastructure in rural corridors and underserved or disadvantaged communities.

NJ RECOMMENDATION: New Jersey has found that there is a strong need for publicly available EV charging infrastructure in underserved or disadvantaged communities. Providing access to publicly available EV charging infrastructure in these types of communities provides greater equity in the electrification of transportation for residents that may not currently have access to home charging options, even if the vehicles are cost competitive. Additionally, expanding public charging access into underserved and disadvantage communities can also help to enable ride sharing and ride hailing by providing convenient charging access closer to where many of the drivers live.

In order to achieve successful expansion of public charging access in underserved or disadvantaged communities we recommend the following:

- Funding formulas should benefit any type of clean transportation for rural/underserved communities and should not exclusively be focused on personal vehicles; public

transit/community e-mobility should be included, along with local commercial vehicles, especially those owned by small businesses.

- Local communities should be informed as to the options being considered for EVSE investments in their communities and have direct input on how electrification infrastructure funding is used, located, and designed to ensure it meets the needs of the local residents.
- Provide flexibility for states to address their specific needs, including but not limited to EV car shares, EV mobility on demand, EV ride hailing services.
- Federal funding should seek to expand on existing state programs to encourage unique solutions that reduce emissions and reduce VMT in these areas.

Additionally, we would like to request greater clarification on the rural definition being used by this legislation. Is it a federal designation? Our concern is that New Jersey is unlikely to meet the criteria of having any rural corridors. We would therefore recommend that states with few or no rural corridors should not be put at a disadvantage when it comes to competitive funding opportunities.

STATUTORY CONSIDERATION #5: The long-term operation and maintenance of publicly available EV charging infrastructure to avoid stranded assets and protect the investment of public funds in that infrastructure.

NJ RECOMMENDATION: In order to minimize stranded assets and protect the investment of public funds in EVSE infrastructure we recommend that the FHWA take the following into consideration when allocating funding:

- Avoid formulaically benefiting ‘first adopters’ (e.g., lots of small V2G demos) and instead benefit ‘first planners’ (e.g., structural plan to execute on a large scale), such as an existing or in progress capacity map and make-ready optimization.
- Ensure that funding helps develop consistent standards for charging infrastructure that would reduce long-term concerns surrounding stranded assets.
- On-site managed charging solutions that ensure that charging is conducted during off-peak times (i.e., overnight) or otherwise “throttles back” during period of peak energy demand to avoid increased grid upgrade costs.
- Allowing funding to be used for technical assistance to better plan for charging needs and future expansion.

STATUTORY CONSIDERATION #6: Existing private, national, State, local, Tribal, and territorial government EV charging infrastructure programs and incentives.

NJ RECOMMENDATION: In order to build on successful existing EV infrastructure funding programs, we recommend that the FHWA allow new funding to flow through state agencies that have led the management of transportation electrification programs, including implementing the ZEV regulatory program, developing and implementing financial and non-financial incentives for EVs, analyzing EV registration data, conducting EV infrastructure planning, administering EV and EV charging incentive programs, and administering Volkswagen settlement mitigation funds to maximize investments in transportation electrification. FHWA should recognize the substantive role and expertise of

environmental agencies in statewide planning for EV charging infrastructure. State agencies, such as NJDEP, EDA and NJBPU, have led the State's efforts to support the EV industry. Departments that have a proven track record in providing charger and make-ready incentives will be able to effectively manage and leverage federal dollars in a timely manner and therefore increase the impact of the federal program by using legacy knowledge and programs to jumpstart investment in public charging networks. For example, NJDEP has allocated approximately \$10 million from the It Pay\$ to Plug In EVSE grant program over the last several years. The following New Jersey EV and EVSE Incentive programs document provides insight into how our state has aimed to comprehensively support EV growth across multiple sectors and vehicle classes while also ensuring that private industry and local companies and residents have some financial buy in: <https://www.drivegreen.nj.gov/pdf/incentivesummary.pdf>. NJBPU has likewise approved over \$150 million in support for EV charging infrastructure by its regulated utilities and the private sector.

Providing funding and program flexibility to adjust future program allocation parameters is also very important to ensure efficient use of funds and to adapt to changes in regulation, industry, or technology. We would therefore recommend formula shifts and program flexibility to adjust allocation requirements in later years. When it comes to program flexibility, we would recommend allowing states to identify funding gaps or areas where certain use cases or technologies that may not originally have been prioritized can be considered for funding, such as behind the meter energy storage or MUD charging, or multi-use chargers compatible with both commercial vehicles and light -duty vehicles. Our own experience with the It Pay\$ to Plug In EVSE incentive program is that there continues to be new areas of need that were initially beyond the scope of funding eligibility but as demand from new charging location types arose we adjusted our program to be more inclusive.

New Jersey has been proactively assessing the number, and cost, of chargers required to meet our EV goals. We estimate that total public and private investment in DCFC public EVSE infrastructure by 2035 will likely cost between \$1.1 billion and \$1.9 billion in New Jersey alone depending on the type of charger that is used and becomes the standard (150kw vs 350kw). Note, these estimates are highly dependent on the exact mix of DCFC that are installed by 2035 and the specific chargers per EVs ratio which is still somewhat speculative. Without substantial financial support from federal agencies, our State, whose freight systems moves approximately \$850 billion of product and 270 million commuter transit trips annually and who's drivers cover more than 78 billion miles annually on state roads, would be unable to meet our long-term EV adoption goals which are closely tied to meeting emission goals established to mitigate the grave threat of climate change.

STATUTORY CONSIDERATION #7: Fostering enhanced, coordinated, public-private or private investment in EV charging infrastructure.

NJ RECOMMENDATION: All states need to make sure they are working in parallel tracks and coordinating with each other. Interstate MOUs provide an advantage to states that are participants, and as a member of NESCAUM (the Northeast States for Coordinated Air Use Management) the State of New Jersey is already coordinating with neighboring states and is consistently in communication with the private sector to find ways to help achieve our state EV goals. We suggest that where appropriate states be permitted to file joint program proposals to expand the EV ecosystem.

In order to foster enhanced coordinated, public-private or private investments in EV charging infrastructure we recommend that the FHWA pursue the following recommendations:

- Money should flow to departments with existing programs to accelerate deployment of funds.
- Expanding existing programs will help to expend funds wisely and more effectively accelerate the EV market. Existing programs can also help identify gaps that need to be addressed and use federal funding to help address those gaps. Providing flexibility will be key. Programs should look at electrified transportation as a whole rather than just funding chargers. For that reason, e-mobility and mobility-on-demand solutions should be considered as part of solution and funded accordingly. We therefore suggest focusing on existing programs first and then shifting funding over the long-term as markets evolve and there is need for innovation.
- Funding should be flexible enough to accommodate public-private infrastructure cost-sharing arrangements, like the shared responsibility model directed by the New Jersey's Board of Public Utilities. This means that New Jersey should be allowed to direct federal funds to *either* utilities charged with building out key elements of the EV ecosystem, or government and private entities investing in charging infrastructure, as the State's needs dictate.
- FHWA should offer bonuses in the competitive program for applications that have multiple state partners or interstate partners.

STATUTORY CONSIDERATION #8: Meeting current and anticipated market demands for EV charging infrastructure, including with regard to power levels and charging speed, and minimizing the time to charge current and anticipated vehicles.

NJ RECOMMENDATION: In order to meet current and anticipated market demand for EV charging infrastructure we recommend that the FHWA pursue the following:

- Flexibility on power level and charging speed requirements to ensure that appropriate sites are able to have either Level 2 or fast chargers.
- Flexibility to allow on-site storage to be incorporated as a solution to grid capacity issues in certain corridor and community locations.
- Federal dollars may be needed in "areas of last resort" where the market may not drive adoption but that are necessary to create comprehensive charging networks.
- Incentives should be designed to kick start the market not to supplement the market – as EV adoption grows, EVSE demand will also grow and will have long-term profitability, federal funding should encourage states to develop programs that encourage private investment and long-term viability of EV Ecosystem.

STATUTORY CONSIDERATION #9: Any other factors, as determined by the Secretary. (In connection with question 9, please describe any other factors that you suggest that we consider in developing the EV Charging Program guidance).

NJ RECOMMENDATIONS AND QUESTIONS:

General

- For competitive grants, please provide explicit guidance on whether EVSE infrastructure must be publicly accessible and if so, what is the proposed federal definition of publicly accessible.²
- Chargers and make-ready costs should be included in EVSE funding allocations.
- Programs should be as user friendly as possible – housing them with existing state charging programs will reduce confusion and get money out the door faster.
- Please clarify FHWA regulations (CFR 200.307) requiring return of income to FHWA so that there aren't differing interpretations, to ensure current EVSE business models won't be excluded, and to avoid complex reporting requirements.

Buy America

- A prequalified list of Buy America certified EVSE systems would be ideal and suggest that the certification be on the grantees (not the funding agency).
- We also request guidance on whether Buy America requirements extend to make-ready electrical components that connect the chargers to the grid. If the Buy America requirement were to extend to Make-Ready components this would create an incredibly complex challenge for both states and utilities to meet or even attempt to verify. We therefore highly recommend that make-ready is not required to meet Buy America requirements. However, if these make-ready components are required to meet Buy America requirements the burden of determining what components meet the requirement should not be on the state, local government, or the grantee, but on the federal government to provide a list of electrical components that meet the Buy America requirements.
- We also encourage a phase in of this requirement to ensure that investment is not delayed due to supply chain issues.
- Funding should be permitted to be allocated to business attraction incentives that would support the localization of the EVSE supply chain.

Corridor designations

- We request clarification as to the difference between Alternative Fuel Corridors and National EV Corridors and how each will impact funding opportunities and placement of EVSE.
- Are these corridor designations likely to be overlapping or complementary and will one corridor type take priority over another depending on the funding program, location or use case?
- How will the timing of either type of corridor designation impact charging location designations or funding allocations?
- How will past designations be handled? Are they grandfathered? Do they need to reapply?
- When will the new application process start?

² The Board defined "Publicly-accessible charging" as "a charger located on public land, a community location, or a travel corridor. Such chargers are owned and operated by site owner, property manager or management company, EVSE Infrastructure Company or, in limited cases, an EDC that is accessible to the public 24 hours a day, seven days a week; however, generic parking restrictions or requirements, such as in a commercial garage, or emergency restrictions, including construction, street cleaning, etc., are not applicable. Such chargers may charge the EV owner a fee for charging; such fees will be clearly displayed to the user."

Funding allowances

- Funding allocations should permit a certain level of funding be directed to support workforce training, education, and/or certification that allows the greater employment of local workers in construction, installation, and maintenance of EVSE and related equipment.
- Funding allocations should permit support of technical assistance programs that, through optimization or analysis of proposed charger locations in comparison to existing infrastructure or as relevant to use case, can reduce stranded assets.

NJ's recommendations for the Charging and Fueling Infrastructure Program to provide discretionary grants for corridor and community charging are as follows:

Please provide examples of best practices relating to project development of EV charging infrastructure and hydrogen, propane, and natural gas fueling infrastructure at the State, Tribal, and local levels.

NJ recommendations for best practices:

In 2021, the New Jersey Department of Community Affairs published a model ordinance, as required by law, that provides installation and parking requirements, as well as installation, sightline, and setback requirements and other health and safety specifications. Additionally, NJBPU established minimum requirements for utilities to fund Make-Ready for EVSE.

DCA Model Statewide Municipal EV Ordinance:

(Source: <https://www.nj.gov/dca/dlps/home/modelEVordinance.shtml>)

- This Model Statewide Municipal Electric Vehicle (EV) Ordinance was published by DCA on September 1, 2021, to comply with P.L. 2021, c. 171, which Governor Phil Murphy signed into law on July 9, 2021.
- The law requires that Electric Vehicle Supply/Service Equipment ("EVSE") and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements related to EVSE in New Jersey's 565 municipalities. In order to implement this, the bill requires that DCA publish a model statewide municipal EV ordinance on its website. The model ordinance is required to include the installation and parking requirements detailed in the bill, as well as address installation, sightline, and setback requirements and other health- and safety-related specifications ("Reasonable Standards") for EVSE and Make-Ready parking spaces.
- The intent of the model statewide ordinance is to ensure that municipalities are requiring installation of EVSE and Make-Ready parking spaces in a consistent manner and also to provide an ordinance that can be easily used by every municipality with no or minimal amendments by the municipality.
- The model statewide ordinance is mandatory and became effective in all municipalities upon DCA publication. Municipalities are allowed to make changes to the "Reasonable Standards" portion of the ordinance through the normal ordinance amendment process, but may not change the parts of the ordinance that were required by the legislation (installation and parking requirements). For municipalities with existing EV ordinances,

the statewide ordinance will supersede those requirements. The model statewide ordinance will enable EV adoption among residents who can't charge at home and will alleviate "range anxiety" by increasing the proximity of charging infrastructure and giving residents the confidence to drive electric.

NJBPU light duty minimum filing standards for utilities ([NJBPU Light Duty MFRs](#))

- A publicly accessible, light-duty charging Eco-System should be accessible to all EV users.
- A "shared responsibility" model for EV infrastructure that promotes appropriate roles for both the electric distribution companies ("EDCs") and private investors. Under this model:
 - EDCs would be responsible for the wiring and backbone infrastructure necessary to enable a robust number of Charger Ready locations, along with the ability to own and operate EVSE in specified circumstances. Non-utility entities, including site owners, property management companies, and EVSE Infrastructure Companies would be primarily responsible for installing, owning and/or operating, and marketing EVSE using private capital.
 - EDCs would be permitted to own and operate charging stations in areas of Last Resort upon approval by the Board. Last Resort considerations include:
 - Sites that are over 25 miles from another charging station;
 - A minimum of 12 months of no interest for equity areas;
 - A minimum of 18 months of no interest for all other areas; and
 - Density of the area.
 - For determinations on Last Resort, "no interest" is defined as no applications for Make Ready.
- Proposals should include plans for equitable distribution of both charging infrastructure as well as support for electrified transportation modes to serve all communities.
- Each EDC may propose its own method to address demand charges concerns.
- EVSE Companies operating within the State of New Jersey shall provide NJBPU with a yearly independent audit report on areas of service and operability updates.
- Residential Charging
 - Residential charging incentives should not duplicate state incentives, but proposals may include programs to address targeted areas of need.
 - Residential and Multi-Unit Dwelling charging incentives should promote managed charging, which may encompass software or hardware solutions.
 - Multi-Unit Dwelling rates should mirror rates available to Residential charging rates.
- Mapping
 - EDCs shall execute and provide maps, which illustrate areas in which electric vehicle charging equipment is well suited for installation due to underutilization of the grid as well as areas in need of upgrades to support the additional supply required for EV charging.
- Outreach and Education
 - EDCs shall provide outreach and education on EVs and EV charging in a variety of consumer friendly and easy to understand formats.

NJBPU is currently working on a MHD Straw proposal that utilizes the same shared responsibility model used in light duty for fleet and MHDV charging. ([Notice Medium Heavy Duty EV Straw Proposal.pdf \(nj.gov\)](#))

What topics do you suggest that we address in guidance on project development of EV charging infrastructure and hydrogen, propane, and natural gas fueling infrastructure at the State, Tribal, and local levels to allow for the predictable deployment of that infrastructure?

NJ recommendations: Currently there is a federal prohibition on installing charging stations on the interstate right of way. To effectively address range anxiety, we need to ensure that charging stations can be installed on all highly traveled corridors including interstate rights of way. Therefore, we recommend that this antiquated provision either be removed or changed significantly to clear the way for increased penetration of charging stations.

Please provide any suggestions to inform the administration of competitive grants under the Charging and Fueling Infrastructure Program for corridor and community charging.

NJ Response: See suggestions under response to statutory consideration # 9 above. In addition, New Jersey is concerned about the challenge of coordinating funding requests from numerous local and state agencies. New Jersey typically does this type of planning at the state level and will now have to find ways to ensure effective communication between all state agencies and local municipalities that are applying for funds in order to ensure that funds are being distributed effectively and in direct support of our state EV goals. We therefore request that the FHWA instead allocate the funding to State agencies for local distribution. If funding is distributed to local projects, we request guidance on how states can and should coordinate funding requests and optimize funding allocation and charging location selection and suggest that State approval of projects be a part of the required application. Additionally, we would appreciate any assistance you can provide throughout the process to provide transparency on all funding applications from entities within our state including details on the location, design, and funding amounts. Without these details, it will be challenging to track local government requests for EVSE funding until awards have already been determined which could undermine our state EVSE goals, lead to inefficient allocation of funding, and cause the sub-optimal site selection and design of charging locations throughout the state.

We would also recommend streamlining the process to whatever extent possible, including by minimizing reporting requirements, requiring state support for application, or having states apply on behalf or in conjunction with all local governments. We want to ensure that state governments are kept in the loop regarding funding requests from local government and we want to help guide prioritization in order to reduce duplication and enhance the statewide network.

Allow for flexibility for use of funds to address unique EV challenges in each state. This might include grid upgrades, behind-the-meter solutions such as managed charging, energy storage, or make-ready infrastructure coverage and not just the cost of the charger and installation.

Give bonuses for programs that support job growth, training, improvement of industry, attraction of American-based manufacturers.

Encourage expansion of state programs through use of federal funds, especially in the first year or two of programs rather than pilot programs.