

# STATE OF NEW YORK

3929

2021-2022 Regular Sessions

## IN SENATE

February 1, 2021

Introduced by Sens. KENNEDY, KAPLAN -- read twice and ordered printed,  
and when printed to be committed to the Committee on Energy and Tele-  
communications

AN ACT amending the public service law, in relation to establishing a  
commercial tariff on certain electric vehicles

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The public service law is amended by adding a new section  
2 66-q to read as follows:

3 § 66-q. Electric vehicle charging; commercial tariff. 1. Definitions.  
4 For purposes of this section, the term "electric vehicles" shall mean  
5 and include a motor vehicle that:

6 (a) was manufactured for use primarily on public streets, roads and  
7 highways;

8 (b) the powertrain of which has not been modified from the original  
9 manufacturer's specifications;

10 (c) has a maximum speed capability of at least fifty-five miles per  
11 hour; and

12 (d) is propelled at least in part by an electric motor and associated  
13 power electronics which provide acceleration torque to the drive wheels  
14 sometime during normal vehicle operations, and that draws electricity  
15 from a hydrogen fuel cell or from a battery that:

16 (i) has a capacity of not less than four kilowatt hours; and

17 (ii) is capable of being recharged from an external source of elec-  
18 tricity.

19 2. Each combination gas and electric corporation shall file an appli-  
20 cation with the commission to establish a commercial tariff utilizing  
21 alternatives to traditional demand-based rate structures to facilitate  
22 faster charging for eligible light duty, heavy duty, and fleet electric  
23 vehicles. Each tariff shall evaluate the relative costs, benefits, and  
24 ancillary related costs and benefits associated with various faster

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 charging rate designs and do so for multiple scenarios where each  
2 predicts a different rate of electric vehicle adoption.

3 3. The commission shall, after notice and opportunity for public  
4 comment, approve, modify, or reject the tariff.

5 4. Within sixty days of commission approval of a combination gas and  
6 electric corporation's tariff filed under this section, such combination  
7 gas and electric corporation shall make the tariff available to custom-  
8 ers.

9 5. The combination gas and electric corporation may at any time  
10 propose revisions to a tariff filed under this section based on changing  
11 costs or conditions.

12 6. Each combination gas and electric corporation providing a tariff  
13 under this section shall periodically report to the commission, as  
14 established by the commission and on a form prescribed by the commis-  
15 sion, the following information:

16 (a) the number of customers who have arranged to have electricity  
17 delivered under the tariff; and

18 (b) the total amount of electricity delivered under the tariff.

19 § 2. This act shall take effect on the one hundred eightieth day after  
20 it shall have become a law.