

## **Regular Meeting, Electric Vehicle Charging Stations Infrastructure Commission – MINUTES**

September 25, 2020

### **Webinar Logistics –**

At 12:03 PM, Senator Watters welcomed everyone to the meeting with a reminder that the meeting was being recorded. SW provided opening housekeeping and disclosures. Roll call.

Representative Sykes chaired the meeting, as Senator Watters would not be able to participate for the entire meeting.

### **Introductions**

Commission members present: Senator David Watters; Representative Steve Smith; Matthew Mailloux (OSI); Richard Bailey (DOS); Kevin Boughan (Eversource); Peter King (BIA); Gary Lemay (Drive Electric NH); Kevin Miller (ChargePoint); Dave Rodrigue (NHDOT); Rebecca Ohler (NHDES); Dan Bennett (NHADA); Carleton Simpson (Unitil)

Public present: Brian Buckley, Elizabeth Nixon and Kurt Demmer (NH Public Utilities Commission); James Penfold, EV Launchpad; Kelly Buchanan and Brianna Brand (Clean Energy NH); Barry Woods (Revision Energy), Jessica Wilcox and Timothy White (NHDES); Donna Gamache (Eversource); Pete O'Connor (Plug in America); Bruce Clendenning (The Nature Conservancy); William Craig

### **Approval of August Minutes**

Senator Watters moved to approve the August 28, 2020 meeting minutes with the proviso that additional formatting edits will be made – Gary Lemay moved and Dave Rodrigue seconded. The minutes were approved unanimously.

### **Discussion of EV Commission Recommendations from the Commission**

Sen. Watters introduced the first item on the agenda, noting that the Commission's Final Report is due on November 1<sup>st</sup>. The body of the report will mirror the previous annual report with a summary of each of the meetings since November 2019. It will provide an executive summary of the Commission's recommendations and then a fuller explanation of those recommendations, including a discussion of the primary entity (i.e. a state agency, the legislature, the executive branch) that should take the lead on a given recommendation. The final report will also include recommendations to the New Hampshire Transportation Council<sup>1</sup>, which has been identified as an existing and non-lapsing forum best suited to continue the work of the EV Commission.

Sen. Watters asked for a review of the Congestion Mitigation and Air Quality (CMAQ) funding announcement and the status of VW funds.

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<sup>1</sup> Established via House Bill 267 (2018) in Revised Statutes Annotated 238-A:2

Becky Ohler stated that NHDES applied for the federal CMAQ funds in partnership with OSI who committed VW funds for the 20 percent match, to install Level 2 charging at 3 state-owned properties: 29 Hazen Drive (houses DHHS and NHDES and in easy walking distance of several other state agency buildings), the PUC at 21 S. Fruit Street, and a northern location to be determined, but likely either the Flume or Cannon Mtn. The total project about is approximately \$233,000 and will support the installation of three dual port chargers at each location. At 29 Hazen Drive the chargers will support future state fleet EVs via overnight charging, and during the day the chargers will be available to the general public including state employees. The final contract has not yet been awarded by NHDOT.

Matt Mailloux has been working for the GOPHER and doesn't have much to update regarding VW funds. Becky noted that a scoring team is evaluating the proposals received for L2 at the Green Street Parking lot. State statute requires that all information regarding grant awards remain confidential until it is presented to the Governor and Executive Council for approval.

Sen. Watters – asked if there would be a change in DCFC RFP status prior to next meeting – Becky advised likely not – Sen. Watters acknowledged that that info may impact recommendations being made – Sen. Watters opened the floor to comments

Is there any info available on why the RFP was not awarded?

Response: none of the proposal submitted were complete and did not meet the minimum criteria. This was, as was learned in subsequent listening sessions, in large part due to the requirement for a single owner/operator for multiple locations.

Does the State have the funds from VW in state held accounts?

Response: No, the funds are primarily held by the Trustee of the VW Trust (where they accrue interest). Funding is provided to recipients as reimbursement. The exception to this is the funds used to match the DERA State Clean Diesel Grant Program, which were provided in advance and are in an account managed by NHDES. Those funds are utilized as NHDES reimburses DERA recipients for project expenditures. The use of VW funds to match the DERA funds resulted in a 50% federal bonus.

It was noted that the interest accrued on NH's allocation should be used for EV chargers.

Response: under the terms of the Trust a state may use 15 percent of their funds for EVSE. To the extent that the interest payments increase NH's allocation, 15 percent of that increase could go toward EVSE.

There was further discussion on whether the EV Commission's report would strongly recommend to the Legislature or Transportation Council that they continue to stay focused on a DCFC infrastructure RFP process. Sen. Watters noted that we are hearing that that should be a strong recommendation.

#### **a. Recommendations for Legislation/State Budget**

- funding (\$500,000) should be allocated for Level 2 charging infrastructure in an easy to access program such as a rebate versus grant or contract to reduce administrative expenses. Perhaps this needs to be managed by other than a state agency.
- a rebate focused approach could reduce overhead and administrative component – there were a lot of ideas part of the discussion on financial incentives – e.g., construction codes/energy codes – consider that range of policy proposals
- do we want to make a recommendation related to what utilities can recover in rates through an inclusion of EV charging rebates in the systems’ benefits charge package – what do people think about that condition/that direction
- State building codes should include a requirement for new construction to be made EV-ready.
- the state vehicle fleet should have a target date to reach a goal of all zero emission vehicles and should be based on availability and a total cost of ownership evaluation.
- new construction at any state-owned building (liquor stores, etc.) should, at a minimum, be built to accommodate the future addition of EVSE. A renewable energy requirement was also mentioned here.
- State agency buildings with more than X employees must provide workplace charging (employees must pay the cost of the electricity)
- construction of schools should also include EVSE. This could be tied to school aid funding.
- installation of EVSE and acquisition of EVs by state agencies should be factored into numerous programs beyond just the state budget, including CMAQ, the 10 Year State Transportation Plan, the General Fund and Capital budget.
- recent changes to RSA 21-I:19 relative to state energy management provides for the costs savings from energy efficiency to remain available for additional efficiency measures. A similar requirement enabling savings from EV to be reinvested into additional vehicles, rather than reverting to the General Fund, could be considered.
- Any requirement for state acquisition and operation of EV and EVSE should include funds for the staff necessary to implement the requirement, including continued operation and maintenance of the facilities.
- Rep. Majors “Road Usage Fee” bill will be reintroduced this session. Should some of the additional funds be put toward EVSE build-out?
- there was general discussion of the role of the electric utility in EVSE buildout, including “make-ready” programs to reduce EVSE installation costs. It was noted that there is some consideration of this in PUC dockets that are currently open. Kevin Boughan noted he would discuss internally and provide some language for consideration in the final report. Carleton Simpson also noted that Unitil also wants to see more charging in the state and has studied programs in other states. There is potential for legislation in this area.

## **b. Recommendations for Actions by State Government**

- the Office of Strategic Initiatives and Dept. of Environmental Services should focus VW Settlement funds on Direct Current Fast Charging infrastructure development initially, but don't lose sight of the need for Level 2 as well.
- the state should distribute at least \$100,000 in the next year for EVSE.
- Agency vehicle purchases should include EVs where feasible

## **c. General Recommendations/Ideas to Include in the Final Report**

- State agencies are encouraged to implement the findings of this Commission.
- It was noted that Rep. Major's Road Usage Fee only impacts vehicles registered in NH. A fee on public charging stations could be considered as this would collect from out of state EVs as well.
- Sen. Watters noted that commission reports and recommendations live on and can provide information for years ahead - look at what CA did with banning fossil fuel powered vehicles by 2035 and the MD-HD ZEV MOU. There's also continuing activity around the Transportation and Climate Initiative. These are areas where most of the states around us and some of the western states are setting forward goals. Last year's bill to adopt California's Low Emission Vehicle standard didn't continue due to COVID. We may want to consider recommendations regarding participation in some of these agreements.

Commission members and guests were requested to submit additional ideas to Senator Watters' legislative aide, Jennifer Gallagher. There was further general discussion about how any legislation will be handled in the upcoming session due to in person meeting limitations.

There was a discussion of state agency members voting on the recommendations. Sen. Watters noted that state agencies don't need to take a position on the recommendations. He further noted he is likely to introduce a bill asking the state fleet to move in a certain direction. With all the new models coming out it might be useful to revisit requirements for state vehicle purchases to consider the total cost of useful life.

Rep. Smith noted that he could not support a directive for state agencies to transition to EVs or a ban on non-EVs because there is a lot of work that needs to be done to support that. When there is turnover in the fleet ask the state agencies to do a cost comparison between conventional, hybrid, electric.

## **Discussion regarding whether other existing committees/commissions can or should continue the work of the EV Commission**

There was general discussion about the Transportation Council being asked to continue the work, and help to implement the recommendations of the EV Commission. After our report is approved Sen.

Watters and Rep Smith can present it to the council. It may make sense to amend the language in the statute to explicitly say that this is under their purview.

Sen. Watters asked that Commission members send any additional recommendations to Jennifer Galligher.

### **Legislative Update**

Rep. Smith – Regarding Rep. Majors Road Usage Fee bill – everyone agrees that EVs needs to pay the road toll – his recommendation only hits NH vehicles. We want tourists/people who don't live here to help pay for our roads and could consider a fee on public charging stations to pay the road toll –

Sen. Watters noted that there is discussion among both parties about how we're going to be able to legislate when the next session starts – the Senate has capacity in terms of the platform, but it's more difficult for the House and its committees. Part of the discussion is how to reduce legislation coming in – considering various committee omnibuses and joint house/senate hearings. There will be very little appetite for committees or study commissions.

### **Public Comment**

The following additional comments/recommendations were proposed by Barry Woods with Revision Energy:

1. extend the tenure of the EV Commission to continue its work.
2. Transportation electrification will happen with or without the support and participation of NH. If NH doesn't "get with it" our economy will be impacted.
3. COVID "bandwidth" issues are real, but if the state makes this a priority then it will happen. Don't let perfection be the enemy of the good, just get the money (VW) out.
4. Additional staff resources are needed to collect more data on EV usage.
5. Mandate electric utility make-ready programs for both DCFC and Level 2.
6. NH should consider adopting California's ZEV mandate as all other Northeast states have done.
7. Consumer education should be strongly supported and funded.
8. Don't accept the slow pace of the distribution of VW funding, make it happen.

Next and final meeting is scheduled for October 23rd at 11 AM.

Rebecca Ohler made a motion to adjourn, Dave Rodrigue seconded. The clerk called the closing roll. The meeting was adjourned at 1:37 PM.