Alliance for Transportation Electrification

December 8, 2025

The Honorable Michelle L. Phillips
Secretary to the New York Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Submitted electronically

Subject: Case No. 18-E-0138: Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure

Dear Secretary Phillips:

The Alliance for Transportation Electrification[1] is pleased to submit these comments in response to the Notice Soliciting Comments dated September 10, 2025, in the above-captioned docket. In that Notice, the Commission requested comments on the September 2 report of the Technical Standards Working Group (TSWG) filed in this docket, as well as responses to six questions related to electric vehicle (EV) electricity consumption measurement technology data accuracy which were posted in this docket on September 10. Our responses follow.

Best regards,

Michael I. Krauthamer

Michael I. Krauthamer
Senior Advisor
Alliance for Transportation Electrification
michael@ate-ev.org

[1] ATE is a 501(c)(6) non-profit corporation that engages with regulators and policymakers at the State and local government levels to remove barriers to EV adoption and to encourage the acceleration of electric vehicles (EV) infrastructure deployment. We consist of over 50 industry members along with affiliated non-governmental organizations across multiple sectors members that include electric utilities, auto and bus manufacturers, EV charging infrastructure providers, and related organizations.

Introduction

ATE appreciates the diligent work of the Commission and its working group (TSWG) in exploring the use and accuracy of vehicle telematics and EV chargers for managed charging. As a general matter, our comments will argue that, since these technologies are nascent and evolving, the Commission should continue to facilitate and enable technical discussions among regulated utilities, automobile original equipment manufacturers ("OEMs"), and vendors and aggregators. Because the Commission exerts regulatory authority directly only over the regulated utilities in this complex EV ecosystem and not OEMs or other software and hardware providers, we believe the Commission should afford the utilities ample discretion, within certain guidelines, to evaluate these technologies working in collaboration with the non-jurisdictional entities with the purpose of increasing enrollment and testing a variety of approaches. ATE doesn't believe this space has sufficient scale or maturity yet for the Commission to weigh in with specific methodologies, technologies, or specifications.

The EV industry faces significant near-term headwinds today due largely to rapidly changing federal incentives and policies. We understand the Commission's role in overseeing utilities, but EV charging at this time remains nascent and utility programs should be subject to flexible regulatory oversight so that the industry, along with customers and the utilities, have opportunities to experiment and eventually achieve solutions that will be scalable on a permanent basis

With regard to the September 2 report of the Technical Standards Working Group (TSWG), we are inclined to support Option 5, Status Quo, for the reasons stated in the report, specifically that the industry has yet to coalesce around standards and that this "all of the above + new options that arise" approach avoids the concerns identified across the other four options. Meanwhile, the near-term imperative for the overall industry, especially the automotive OEMs, should be to agree on a common approach and standard, likely through a process led by SAE International.

We appreciate Staff's observation about potential risks if the programs grow, however we respectfully disagree with the characterization that accuracy in the context of these programs today is "paramount." It is important to emphasize that the EPRI study was commissioned primarily to develop an industry testing methodology rather than deliver a verdict on industry-wide telematics accuracy. The study was limited in available hardware and broad conclusions on technology capabilities would be premature. Because the utility meter is the ultimate backstop for billing, the submetering data is primarily for incentive allocation rather than revenue recovery, especially in the absence of EV-specific device-

level TOU rates. There are significant features of energy markets in which there is wide recognition that precision is not feasible, for example in the case of baselines, where a certain amount of uncertainty is accepted. Therefore, we believe that the appropriate characterization of accuracy is that it meets a broad standard of reasonableness in these early days, which is a concept that Commissions have addressed for many decades in energy delivery and ratemaking.

On the subject of data processing, we respectfully disagree with Staff's position that such processes must be "scrutinized" in detail. At this early stage of market development, it is unreasonable to expect competitive technology companies to disclose their trade-secrets and algorithms in a public forum. ATE believes that the focus today should not be on developing rules and processes for such granular scrutiny, but instead on enabling constructive discussions with all the stakeholders about broader directions in technology and industry, and what is working and what is not.

ATE believes that the risks to EV consumers today for inaccuracies in OEM telematics are relatively small at this level of scale, especially in this period of slower growth and re-orientation of the overall market. Telematics systems are fully capable of achieving the goals of JU managed charging programs in their current iterations. As the market finds a new equilibrium in the next several years, the charging industry will have time to improve and provide the accuracy that the Commission seeks. In the interim, we encourage the Commission to remain informed of industry developments and continue to enable collaboration among the many stakeholders in the EV ecosystem.

Standards Development

1. What role could the New York Public Service Commission or New York utilities have to play in the development of an EV telematics accuracy standard?

The Commission and New York utilities should play a role of active observation and collaborative participation. The appropriate body for developing vehicle telematics accuracy standards is SAE International, the organization founded in 1905 and the foremost global authority for consensus-based mobility standards and technical knowledge. Recent work by SAE that relates specifically to EV charging and is highly visible to consumers is development of the new universal charger connector, formally named SAE J3400 and informally referred to as the North America Charging Standard or NACS. With strong industry leadership and support from federal and state agencies, this common connector was vetted and approved in record time by the appropriate committee of the

SAE. Given the complexity of the technology and the number of stakeholders involved in vehicle telematics, SAE is the logical organization to achieve an acceptable outcome.

While standards are being developed, the Commission can provide utilities with the latitude to test various technologies so that emerging technologies can have an opportunity for real-world testing from perspectives such as operational performance and financial viability.

2. What role could the Public Service Commission play in the widespread adoption of accuracy standards for EV telematics and EVSE?

The Commission should continue to express the importance of a standard so as to encourage the industry to reach a consensus, recognizing that there simply is no standard today for telematics, that such highly specialized and technical work is best suited for standards bodies rather than regulatory proceedings, and that developing a standard will require the cooperation of multiple automakers and suppliers and could take several years. Yet the Commission and other government agencies can help accelerate such a process by making their views known clearly to industry bodies such as the SAE.

In the interim, for both telematics and EVSE, the utility revenue grade meter ensures that no energy is unbilled. The Commission would therefore be acting quite reasonably by finding that the standard for telematics and EVSE is distinct from the standard for billing, and a flexible "fit for purpose" approach for telematics and EVSE is appropriate while standards evolve. As discussed above, there are widely acknowledged and accepted tradeoffs in the energy industry where absolute precision is not feasible while the outcome is nonetheless desirable. We believe this approach is justified to mitigate the risk of overcomplicating the process to the degree that the managed charging programs sink under their own weight.

Data Opacity & Accuracy

3. What specific actions could the utilities, or other parties, take to reduce data opacity concerns in EV managed charging programs?

ATE believes that transparency is a hallmark of effective regulation for the utilities under its jurisdiction, and should be an objective for managed charging programs of utilities. Yet even in traditional regulation, provisions are made for protecting confidential and highly

confidential information, whether they be financial, or information specific to customers. In managed charging programs using OEM telematics and telemetry, however, we should recognize that this is a competitive, technology-driven market, the demand for absolute transparency must be balanced against the protection of intellectual property and the reality of trade secrets.

The "data opacity" issue arises because of proprietary data and analysis vehicle software systems use to determine factors such as state-of-charge (SoC) and energy consumption. Modern automobiles are essentially complex computers on wheels, and the methodologies the automakers develop and deploy constitute much of their competitive advantage. Demanding that these companies reveal the information necessary for outsiders to perform a forensic-style audit is likely to be viewed as commercially non-viable, as there is simply little to no value to auto OEMs complying. And because automakers are not within the Commission's jurisdiction, there is no way to impose such a requirement. In any event, we understand that software undergoes frequent revisions and keeping up with the countless makes and models would be a never-ending chore.

Instead of demanding the disclosure of proprietary methodologies, one potential way of evaluating data accuracy is to use a benchmarking approach. Under this approach, utilities or a different trusted entity can continue to run small-scale control groups where telematics and EVSE data is cross-referenced with utility meters. For example: A sample group of customers, representing a cross-section of vehicle makes and models, periodically charge behind standard utility meters. The data from these sessions is then compared to the data coming from the car. If the car's data is within an acceptable margin of error, we can assume the data is accurate across all similarly situated participants.

4. What specific actions could utilities, or other parties, take to improve the accuracy of the devices or services used in EV managed charging programs?

Improvements in data accuracy will come not from regulatory mandates, but from the natural feedback loop of the market and software evolution. The EPRI study is an excellent example of early efforts in this regard and should be continued.

The utility industry can further support improvements in accuracy by continuing to collaborate with automakers. Feedback would be oriented toward technical aspects (i.e., the granularity of energy metering) as well as policy considerations such as the goals of utility load management with the goal of uncovering new solutions through interdisciplinary collaboration.

In these early days while the automotive market evolves, we urge the Commission to be cognizant of the marginal value of improving accuracy, relative to the cost-benefit of some approaches. The TSWG Report indicates that achieving higher accuracy might require "intermediate devices" which are expensive and installation-intensive. Our understanding of the automotive industry is that manufacturers are highly sensitive to component costs and production complexity; because of this, and particularly now when industry is under pressure to keep prices down, we do not believe it is reasonable to expect automakers to equip all of their vehicles with new technology designed to address needs of only a small number of customers. Indeed, affordability is not just a key issue for energy providers and utilities to address today in an era of rising prices and inflation; it is equally a challenge for the automotive industry in making vehicles and especially EVs more affordable for low to middle income consumers. In short, today's EVs provide a solution that is accurate enough given the relatively small number of kWh and the small margin of error.

Programmatic Options

5. Are there other program designs beyond those mentioned in the TSWG Report that could mitigate the impact of inaccurate readings while effectively engaging all driver types, including rideshare drivers?

The focus today should be to promote smart charging behaviors into the habits of EV drivers. Technical precision will improve naturally as the market matures. In the meantime, demand response (including managed charging), along with energy efficiency, are critical grid resources. An EV is typically a residential customer's single biggest load. Great savings can be achieved by providing economical incentives to drivers to charge at specific times and to refrain from doing so at others. The goal now should be to simply engage customers in load management programs. Program design changes or technical requirements that limit the pool of eligible customers, make the process more complicated, or increase cost should be avoided.

One measure we recommend the Commission and utilities consider for telematics programs is prioritizing authorized direct integrations backed by commercial agreements with automakers or their authorized partners.

6. Should accuracy in active managed charging programs be addressed differently than in passive managed charging programs?

We recommend the Commission apply a reasonable degree of latitude to both. Active managed charging and passive managed charging both provide system benefits that outweigh the risk of minor data variances at this stage of market deployment.

Conclusion

We encourage the Commission to continue engaging with the various stakeholders and promote the near-term goal of maximizing managed charging program participation, while reserving judgement until such time that all reasonable options have been explored and customer participation and energy throughput reaches the level where a higher level of accuracy is operationally necessary. Until then, we look forward to continuing to engage with the Commission and stakeholders in this important proceeding.

Respectfully submitted,

Philip B. Jones
Philip B. Jones
Executive Director
Alliance for Transportation Electrification
phil@ate-ev.org

Michael I. Krauthamer
Michael I. Krauthamer
Senior Advisor
Alliance for Transportation Electrification
michael@ate-ev.org