STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY

DOCKET NO. 26-08-06
ANNUAL EV CHARGING PROGRAM REVIEW - YEAR 6

NOTICE OF REQUEST FOR WRITTEN COMMENTS
(July 30, 2026)

On July 14, 2021, the Public Utilities Regulatory (Authority or PURA) issued a final Decision in Docket No. 17-12-03RE04, PURA Investigation into Distribution System Planning of the Electric Distribution Companies – Zero Emission Vehicles (Final Decision) establishing a statewide electric vehicle (EV) charging program (EV Charging Program or Program). Pursuant to Section VI.F. of the Final Decision, the Authority conducts an annual proceeding to review key Program metrics and to make strategic adjustments to ensure: (1) continued alignment with the program objectives established in the final Decision; and (2) that the Program is on track to meet its deployment targets. Final Decision, p. 42.

On February 2, 2026, The Connecticut Light and Power Company d/b/a Eversource Energy (Eversource) and The United Illuminating Company (UI; collectively, electric distribution companies, or EDCs) filed a motion for review and approval (Motion No. 1) in compliance with Order No. 14 of the Authority's December 17, 2025 Decision in Docket No. 25-08-06, Annual Review of the Electric Vehicle Charging Program – Year 5 (Year 5 EV Decision). Motion No. 1 includes the EDCs' proposal regarding Direct Current Fast Charger (DCFC) uptime requirements and enforcement.[1]

To solicit feedback on Motion No. 1, on February 9, 2026, the Authority issued a Notice of Request for Written Comments for docket participants to provide comments on the EDCs' proposal to align with the National Electric Vehicle Incentive (NEVI) 97% uptime requirement for DCFC stations, and the EDCs' proposal regarding the Authority's Office of Education, Outreach & Enforcement (EOE) as the responsible party for the enforcement of DCFC uptime requirements through monetary penalties.

On May 11, 2026, the EDCs filed a joint motion for review and approval (Motion No. 6)[2] in compliance with Order No. 17 of the Year 5 EV Decision, which includes a summary of current efforts to coordinate DCFC deployments with the Connecticut Department of Transportation (ConnDOT) as well as a proposal to align ConnDOT's port

[1] Motion No. 1 is available here: https://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/65dfbddba626941985258d920054d16c?OpenDocument

[2] Motion No. 6 is available here: https://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/5fc0c024eb2677b085258df4005ca198?OpenDocument

deployment methodologies in the NEVI Program with the EDCs' DCFC port deployment methodologies.

Subsequently, on May 15, 2026, the EDCs filed a joint motion for review and approval (Motion No. 7) in compliance with Order No. 16 of the Year 5 EV Decision. Motion No. 7[3] includes the EDCs' update regarding current efforts and proposal to expand marketing efforts to enroll EV drivers in the Program at the point of purchase. Motion No. 7, p. 1.

To facilitate the continued evaluation of the Program, the Authority requests that Participants file written comments on or before **4:00 p.m. on Thursday, July 30, 2026**, addressing the following:

1. DCFC Uptime Requirement and Enforcement Structure

a. Background

The Companies reported that ConnDOT established a 97% uptime requirement for the CT NEVI grants. Year 5 EV Decision, p. 27. Additionally, ConnDOT included an enforcement mechanism that will withhold 2.5% of grant funds if the 97% uptime requirement is not met. Id. For each year of the five-year grant, ConnDOT will distribute 1/5th of the 2.5% if requirements are met. Id. ConnDOT will then collect and report performance data for each station to the U.S. Department of Transportation. Id.

Participant feedback indicates significant support for adopting minimum DCFC uptime and reporting requirements and associated enforcement mechanisms. See, e.g., Year 5 Decision, p. 33. Participants support aligning these requirements with the NEVI program's 97% DCFC uptime requirement. See, e.g., Electrify America Comments, June 17, 2025, Docket No. 25-08-06, p. 1; DEEP Comments, Mar. 2, 2026, Docket No. 26-08-06, pp. 1–2; Save the Sound Comments, Mar. 2, 2026, Docket No. 26-08-06, pp. 1–2.

b. Authority Proposal

The Authority seeks stakeholder input regarding the following modified EDC proposal as filed in Motion No. 1.

i. Uptime Requirement

- **97% Uptime Requirement:** Beginning on January 1, 2027, DCFCs deployed through the EV Charging Program shall align with the 97% uptime requirement, as defined and required by the National Electric Vehicle Incentive (NEVI) Program at 23 C.F.R. § 680.116(b).
- **Uptime Reporting:** DCFC applications will be required to include the ability to report specified uptime data fields to the EDCs in order to apply to and participate in the EV Charging Program. The Program's Commercial

[3] Motion No. 7 is available here: https://www.dpuc.state.ct.us/dockcurr.nsf/8e6fc37a54110e3e852576190052b64d/c629c7e76aa2630c85258df8006b42d1?OpenDocument

Application "Terms and Conditions" shall be amended to also require "Uptime Data," mirroring the current requirements of the NEVI program.

- The required Uptime Data will be the reporting fields contained in Motion No. 1, Att. Appendix A - Uptime Field Requirements, which is consistent with the data fields as presented in guidance from The Joint Office of Energy and Transportation's "Data Format and Preparation Guidance Version 6.0 (October 2025)."
- Uptime Data shall be reported quarterly to align with the NEVI program.[4]

ii. Enforcement Structure

The EV Charging Program's baseline DCFC rebate is $150,000, which the EDCs state covers approximately 30% of total project costs. Motion No. 1, p. 4. This contrasts with the NEVI program, which offers incentives covering approximately 80% of DCFC project costs. Id. If the Program withheld upfront incentives at the same percentage as the ConnDOT NEVI deployment (2.5% total, 0.5% disbursed annually for five years), the relative dollar amounts withheld in the Program would be small (e.g., a total $3,750 withheld and $750 disbursed annually for 5 years). Id. The EDCs caution that the lower withheld incentive amounts may be insufficient to motivate site operators to achieve uptime requirements. Id. If the cost to comply with the uptime requirements is greater than the amount the Program could withhold, the enforcement mechanism may not have the intended effect of increasing uptime. Motion No. 1, p. 4.

However, the EDCs state that biggest challenge and financial hurdle for DCFC operators to overcome on the path to DCFC station profitability is the significant upfront deployment costs, and withholding a significantly higher percentage of upfront funding would be unreasonable and counter to the goals of the Program. Id., p. 5. The EDCs argue that the existing structure provides a built-in incentive for facilities to maintain uptime in order to recoup their contribution to initial installation costs. Id., p. 4.

Calculating the annual performance payout that would be greater than or equal to the estimated incremental annual operation and maintenance ("O&M") spend, plus a slight margin for reporting and verification, can inform what withholding percentage amount could meaningfully motivate operators to comply with the 97% uptime requirement. Id., pp. 4–5.

Many operators budget $5,000 to $15,000 per site per year. Id., p. 5.

Annual payout = (r × $150,000) / 5 years, where r is the rebate holdback percentage.

- To fund $5,000/year → r ≈ 16.7% of rebate (total $25,000).
- To fund $10,000/year → r ≈ 33.3% of rebate (total $50,000).
- To fund $15,000/year → r ≈ 50.0% of rebate (total $75,000).

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[4] See, 23 CFR §680.112, https://www.ecfr.gov/current/title-23/section-680.112

Id.

In this proposal, the Authority seeks a withholding percentage that is closer to the actual O&M and compliance costs but is not so large as to exacerbate the upfront deployment barrier for DCFC installations.

The full EVSE or wiring incentive awarded in a given year shall be counted towards that year's cap, including any amount withheld for uptime enforcement. If the withheld portion of the incentive is not ultimately paid out due to poor uptime performance, in the year that decision is made, the Statutory Expense Cap for that Program Year should increase by the amount of the unspent withheld incentive. The EDCs point out that "[f]or example, if a DCFC project was awarded Program funding in 2027 and did not meet the uptime requirements in 2031 or 2032, there would be no program to which an increased incentive could be applied. This would result in incentive funds going unutilized and would fail to maximize the impact of the Program." Motion No. 1, p. 6. However, when the Authority established the Program, it stated that the Program would start on January 1, 2022, and continue through at least December 31, 2030. Decision, July 14, 2021, Docket No. 17-12-03RE04, PURA Investigation into Distribution System Planning of the Electric Distribution Companies – Zero Emission Vehicles, p. 6. Unfortunately, some funds may go unutilized under this model, but this is the necessary result to avoid spending above the cap in a given year.

In Motion No. 1, the EDCs recommended enforcement of the uptime requirement through the imposition of monetary penalties, to be determined and assessed by PURA EOE. However, the Authority could not consider this because PURA, and therefore EOE, does not have the authority to impose monetary penalties on non-regulated entities. PURA only has authority to impose civil penalties on the entities enumerated in General Statutes § 16-41.

c. Stakeholder Comment Request

The Authority invites comments on the proposed framework outlined above, including, but not limited to, the following areas:

- The Authority's proposed DCFC uptime requirement;
- The Authority's proposed DCFC uptime reporting requirements and pre-requisite in order to apply for Program incentives;
- The Authority's proposed DCFC uptime requirement enforcement mechanism; and
- The appropriate percentage of incentive withholding for enforcement that incorporates the above Authority-stated considerations.

2. Coordinating DCFC deployment with NEVI

Provide comments on the EDCs' update and proposal regarding coordinating DCFC deployment methodologies with ConnDOT's implementation of the NEVI Program, filed as Motion No. 6. Additionally, provide any additional recommendations to improve Program DCFC deployment coordination with ConnDOT's NEVI DCFC deployment, if relevant.

3. Expanding Program Marketing and Outreach Efforts

Provide comments on the EDCs' update and proposal regarding expanding marketing efforts to enroll EV drivers in the Program at the point of purchase and building relationships with Auto and electric vehicle supply equipment (EVSE) original equipment manufacturers (OEMs) (filed as Motion No. 7), including but not limited to, the EDCs' proposals to coordinate with the Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) program, increased EVSE and Auto OEM engagement, and statement that Auto dealership engagement is "a valuable but constrained channel" for increasing Program enrollment.

Dated at New Britain, Connecticut, this 9th day of July 2026.

By Direction of the Presiding Officer,



Jeffrey R. Gaudiosi, Esq.
Executive Secretary

cc: Service List