STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY

ANNUAL EV CHARGING PROGRAM REVIEW – YEAR 6	:	Docket No. 26-08-06
	:	
	:	
	:	
	:	March 2, 2026

WRITTEN COMMENTS OF
THE BUREAU OF ENERGY AND TECHNOLOGY POLICY OF
THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

The Bureau of Energy and Technology Policy (BETP) of the Department of Energy and Environmental Protection (DEEP) respectfully submits these written comments in response to the second Notice of Request for Written Comments (Notice) issued by the Public Utilities Regulatory Authority (PURA or the Authority) on February 9, 2026 (Notice) in the above-referenced docket.

I. WRITTEN COMMENTS.

1. ***Provide comments on the EDCs' proposal to align with the National Electric Vehicle Incentive (NEVI) 97% uptime requirement for DCFC stations, including but not limited to the following:***

    a. ***The EDC's proposed pre-requisite that DCFC projects be able to report specific uptime data fields to the EDCs in order to be eligible to apply for and participate in the Program;***

DEEP expresses its support in alignment with the EDCs regarding their proposed pre-requisite that DCFC projects report specific uptime data fields for program eligibility. DEEP believes this pre-requisite will help to meet the uptime standards consistent with the established NEVI program and DEEP also supports the underlying rationale provided by the

EDCs for this uptime requirement that uptime is "critical to good customer experience", it would reinforce program alignment between the NEVI program and the LDEV charging program, and it would support greater certainty around continued EV investment in the state by maintaining "established infrastructure and operating procedures to meet the national standard".

b. The EDCs' proposed required uptime reporting fields included in Attachment Appendix A – Uptime Field Requirements;

DEEP has reviewed Order 14 Appendix A - Uptime Field Requirements[1] and finds these data fields to be reasonable for determining adherence to the NEVI program standards as they align with NEVI reporting requirements. While DEEP agrees with the EDCs proposal that uptime data be reported every 6 months for "alignment with the NEVI requirements", DEEP recommends that these data be provided via quarterly submittal as described in the NEVI program standards and requirements, should the Authority deem such reporting schedule feasible.[2] DEEP believes that quarterly submittals will not only enable closer alignment to NEVI program standards, but also further support the program priorities outlined by the EDCs for delivering a "good customer experience", "building confidence in the state's charging infrastructure", and "ensuring ratepayer funds are optimally deployed". DEEP also finds it reasonable to amend the "Terms and Conditions" of the commercial program to also explicitly

[1] *See* Docket No. 25-08-06 – Annual Review of the Electric Vehicle Charging Program – Year 5, Order 14 Appendix A – Uptime Field Requirements, February 02, 2026. Available at: 25-08-06 Order 14 Appendix A - Uptime Field Requirements.pdf.

[2] *See* U.S. Code of Federal Regulations – National Electric Vehicle Infrastructure Standards and Requirements, February 28, 2023. Available at: Federal Register : National Electric Vehicle Infrastructure Standards and Requirements

require participants to provide "Uptime Data" in addition to the previously included utilization and financial data.

c. The EDCs' proposal that these requirements begin with DCFC stations awarded after January 1, 2027

DEEP agrees with the EDCs implementation timeline of January 1, 2027, for the proposed program requirements to coincide with the 2027 application period considering the time constraints outlined by the EDCs for implementing prior to the 2026 application period, unless the Authority deems earlier implementation to be practical given widespread adoption of requirements in other nearby states. DEEP also suggests the Authority investigate whether it is possible to develop a framework to incentivize, but not require or penalize, stations that previously received funding awards to also meet the 97% uptime requirement through the program.

2. Provide comments on the EDCs' proposal regarding the Authority's Office of Education, Outreach & Enforcement being responsible for the enforcement of DCFC uptime requirements through monetary penalties.

DEEP agrees with the EDCs proposed alternative to the NEVI program enforcement mechanism of imposing penalties on EVSE operators for non-operable chargers in lieu of withholding incentives as currently provided in the NEVI program which "creates administrative burdens and costs for utilities". DEEP also agrees that the penalty structure described by the EDCs provides several advantages over the approach of withholding incentives which includes: the preservation of the full upfront rebate to reduce deployment cost barriers, the ability to scale penalty severity based on downtime period, and the simplification of administrative burden in the event incentives change for future cohorts. DEEP defers to the

Authority in determining whether penalties should be enforced by the Office of Education, Outreach, and Enforcement ("EOE").

II. CONCLUSION.

DEEP, thanks the Authority for the opportunity to provide these written comments and appreciates the Authority's consideration. Furthermore, DEEP looks forward to ongoing opportunities for engagement in this proceeding.

Respectfully submitted,

/s/ Andrew Frank

Andrew Frank
Deputy Commissioner
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
Bureau of Energy and Technology Policy

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been furnished to the service list in compliance with Conn. Agencies Regs. § 16-1-15.

By: */s/ Obinna E. Anugweje*
Obinna E. Anugweje
Commissioner of the Superior Court