

STATEMENT TO

ASSEMBLY, No. 5562

with Assembly Floor Amendments
(Proposed by Assemblyman BENSON)

ADOPTED: DECEMBER 7, 2023

These floor amendments would:

(1) add definitions for "capacity demand charge" and "distribution demand charge," and clarify the definition of "load factor";

(2) clarify that tariffs required to be developed under the bill must utilize alternatives to distribution demand charges (rather than alternatives to traditional demand-based rate structures);

(3) provide that tariffs must establish cost parity (rather than cost equity) between commercial electric vehicle tariffs and residential tariffs;

(4) remove requirements for tariffs to accelerate third-party investment in electric vehicle charging infrastructure and to promote electric vehicle adoption in the State;

(5) require that tariffs remain neutral with respect to the various types of electric vehicle charging technology only if the neutrality would not discourage innovation;

(6) provide that the BPU may require customers who participate in an alternative rate structure developed under the bill to provide certain data to the BPU;

(7) remove a provision that would have prohibited utilities from assessing subscription charges and other non-volumetric tariff structures on direct current fast charging facilities unless the BPU had approved the utility's tariff submitted pursuant to the bill; and

(8) require, commencing 180 days (rather than 60 days) after the bill's enactment, electric public utilities to either discontinue assessing capacity and distribution demand charges on direct current fast charging facilities; or to implement an operating cost relief mechanism.