

ASSEMBLY, No. 1111

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblywoman ANNETTE CHAPARRO

District 33 (Hudson)

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

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SYNOPSIS

Requires electric public utility to charge residential rate for service used by residential customer for electric vehicle charging at charging stations within certain designated parking spaces.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning certain electric public utility service rates and
2 supplementing Title 48 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. a. As used in this section:

8 “Designated parking space” means a parking space that is
9 specifically designated for use by a resident of any premises
10 intended for residential occupancy, including, but not limited to, a
11 garage or other parking space located at the resident’s premises or
12 upon the premises of the planned real estate development where the
13 resident resides and that is intended for a specific resident’s
14 exclusive use.

15 “Electric public utility” shall have the same meaning as provided
16 in section 3 of P.L.1999, c.23 (C.48:3-51).

17 “Electric vehicle charging station” means a station that is
18 installed in compliance with the State Uniform Construction Code,
19 adopted pursuant to P.L.1975, c.217 (C.52:27D-119 et seq.), that
20 delivers electricity from a source outside an electric vehicle into
21 one or more electric vehicles. An electric vehicle charging station
22 may include several charge points simultaneously connecting
23 several electric vehicles to the station and any related equipment
24 needed to facilitate charging plug-in electric vehicles.

25 “Planned real estate development” or “development” means any
26 real property situated within the State, whether contiguous or not,
27 which consists of or will consist of, separately owned areas,
28 irrespective of form, be it lots, parcels, units, or interest, which are
29 offered or disposed of pursuant to a common promotional plan, and
30 which provide for common or shared elements or interests in real
31 property, including, but not limited to, property subject to the
32 "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.), any form
33 of homeowners' association, housing cooperative, or community
34 trust or other trust device. “Planned real estate development” shall
35 not include or apply to any form of timesharing.

36 "Point of utility delivery" means the point at which an electric
37 public utility’s electrical equipment or conductors connects to a
38 customer’s electrical equipment or conductors.

39 “Residential unit owner” means the owner of record of a
40 residential dwelling unit located within a planned real estate
41 development, or, in the case of a cooperative housing corporation, a
42 shareholder of record owning the shares appurtenant to an
43 individual residential dwelling unit. “Residential unit owner” shall
44 not mean the owner of a commercial unit, space, or interest located
45 within a planned real estate development.

46 b. Notwithstanding the provisions of any law, rule, regulation,
47 or order to the contrary, an electric public utility shall charge a
48 residential rate for service delivered to an electric public utility

1 residential customer of record if the residential customer is a
2 residential unit owner who uses an electric vehicle charging station
3 at a designated parking space located at the residential customer's
4 premises or upon the premises of the planned real estate
5 development where the residential unit owner resides.

6 c. Notwithstanding the provisions of any law, rule, regulation,
7 or order to the contrary, an electric public utility shall not charge
8 greater than a residential rate, or greater than an equivalent
9 electricity rate or load management program that is offered by an
10 electric public utility specifically for residential electric vehicle
11 charging, for service delivered to a planned real estate development
12 for the use of an electric vehicle charging station which is located
13 upon the premises of the planned real estate development and is
14 intended for the use of a specific residential unit owner in a planned
15 real estate development. Notwithstanding the provisions of this
16 subsection, in the event that the planned real estate development has
17 a contract for the purchase of electric commodity service from a
18 party other than the electric public utility serving the planned real
19 estate development, the distribution charges, inclusive of demand
20 charges and load management programs that are offered by the
21 electric public utility, shall be comparable to those offered by the
22 electric public utility to residential customers receiving basic
23 generation service.

24 d. Nothing in subsection b. of this section shall prevent a
25 planned real estate development that has installed an electric
26 vehicle charging station from setting the price of the sale of
27 electricity for the use of its electric vehicle charging equipment
28 provided as a service pursuant to section 10 of P.L.2019, c.362
29 (C.48:25-10).

30 e. An electric public utility, upon the request of an applicant
31 for electric service at a planned real estate development, shall
32 install, up to the point of utility delivery, any distribution
33 infrastructure necessary to facilitate the future installation of an
34 electric vehicle charging station that provides Level 2 charging
35 capability, under rates, terms and conditions as established by the
36 board. Any prudent costs incurred by the electric public utility
37 shall be deemed consistent with the provisions of R.S.48:2-27
38 governing the extension of public utility facilities, subject to any
39 maximum cost as may be established by the board. The electric
40 public utility shall be entitled to full and timely recovery of all such
41 prudently incurred costs, provided that the cost of any electric
42 vehicle charging station or installation thereof is not included.

43
44 2. This act shall take effect immediately, but shall remain
45 inoperative for 120 days following the date of enactment.

1 STATEMENT

2
3 This bill requires an electric public utility (utility) to charge a
4 residential rate for service delivered to a residential utility customer
5 of record (customer) if the customer uses an electric vehicle
6 charging station (charging station) at a designated parking space
7 located at the customer's premises or upon the premises of the
8 planned real estate development (development) where the customer
9 resides.

10 The bill also prohibits a utility from charging greater than a
11 residential rate, or greater than an equivalent electricity rate or load
12 management program that is offered by an electric public utility
13 specifically for residential electric vehicle charging, for service
14 delivered to a development for the use of a charging station located
15 at the development intended for the use of a specific resident in the
16 development. However, in the event that the development has a
17 contract for the purchase of electricity from a party other than the
18 utility serving the development, the utility may charge the
19 development an agreed upon rate.

20 The bill's provisions would not prevent a development that has
21 installed an electric vehicle charging station from setting the price
22 of the sale of electricity for the use of its electric vehicle charging
23 equipment provided as a service pursuant to section 10 of P.L.2019,
24 c.362 (C.48:25-10).