



Consolidated Edison Company  
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January 28, 2014

Honorable Kathleen H. Burgess  
Secretary  
New York State Public Service Commission  
3 Empire State Plaza, 19<sup>th</sup> Floor  
Albany, New York 12223

**RE: Case 13-E-0199, Electric Vehicle Charging Stations**

Dear Secretary Burgess:

Consolidated Edison Company of New York, Inc. (“Con Edison” or the “Company”) is filing with the Public Service Commission (the “Commission”) amendments to its Schedule for Electricity Service, P.S.C. No. 10 – Electricity (the “Tariff”), applicable to its customers in the City of New York and the County of Westchester.

The revised Tariff Leaves, which are identified below, have an effective date of May 12, 2014:

<u>Tariff Leaf No.</u>	<u>Revision No.</u>	<u>Superseding Revision</u>
401	3	2
442	4	3
457	2	1
491	3	2
498	2	1

**Reason for Filing**

The Commission issued a Declaratory Ruling on Jurisdiction Over Publicly Available Electric Vehicle Charging Stations (the “Ruling”), issued and effective November 22, 2013, in Case 13-E-0199, “In the Matter of Electric Vehicle Policies.” The Ruling indicates that electric vehicle (“EV”) charging stations do not fall within the definition of “electric corporation” and, thus, are not within the Commission’s jurisdiction. The Ruling states, “Additionally, the method of calculating the transaction fee, specifically, the use of a per kWh price, will not confer jurisdiction where none otherwise exists.” The Ruling further states that the owners and operators of Charging Stations may decide that a time based fee or kWh based fee, or other fee structure is

appropriate, and that electric distribution utilities who need to modify existing tariff language to accommodate Charging Station owners or operators who would utilize a per kWh fee structure should file such tariff revisions.

### **Tariff Changes**

Special Provision B of Service Classifications (“SCs”) 2, 8, 9, 12, and 13 indicates that the Customer cannot make a specific charge for the electric service furnished under those SCs unless the service is submetered pursuant to Rider G - Submetering. Pursuant to the Commission’s Ruling, the Company is filing changes to Special Provision B of SCs 2, 8, 9, 12, and 13 to indicate that the Customer cannot make a specific charge for the electricity unless the electricity is submetered pursuant to Rider G “or the electricity is provided by a publicly available electric charging station providing electric vehicle charging services to the public.”

### **Conclusion and Notice**

Because this tariff change is being filed as a tariff clarification, the Company requests waiver of the requirement for newspaper publication. The Company is emailing copies of this filing to all parties to the Case 13-E-0199 Service List.

Very truly yours,  
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

/s/ William A. Atzl, Jr.  
Director  
Rate Engineering