



October 24, 2023

New York City Department of Buildings  
Office of the General Counsel  
280 Broadway, 7th floor  
New York, NY 10007

Dear Commissioner Oddo,

Thank you Commissioner Oddo, and leadership of the Department of Buildings (NYC DOB), for holding this hearing on the implementation of Local Law 97. My name is Nathan King, and I'm the co-founder and CEO of It's Electric, a curbside EV charging startup. We are headquartered at the Newlab offices in the Brooklyn Navy Yard, in District 33.

As a company working to electrify the transportation system through the deployment of innovative behind-the-meter strategies, we fully support the goals of Local Law 97. We appreciate this opportunity to provide you with our thoughts on how to strengthen the City's electrification efforts of both the transportation sector and the built environment.

### **Electrification of Transportation and the Built Environment**

New York is leading the way in enacting far-reaching policies to electrify our transportation sector. Just last week, the Taxi and Limousine Commission (TLC) finalized its Green Rides Initiative, which will require all High-Volume For Hire Vehicles (HVFHV) to be zero-emission (or accessible) by 2030 – the first city in the United States to do so.<sup>1</sup> This policy is aligned with the mandate that all new cars sold throughout the state be zero-emission by 2035.<sup>2</sup> On the infrastructure side, utilities and the New York State Energy Research and Development Authority (NYSERDA) offer a suite of incentives for the installation of residential, commercial, and workplace charging. Additionally, the state and city Departments of Transportation have applied for formula and discretionary funds to build out public EV charging infrastructure (EVSE), both to accommodate intracity trips (DC Fast charging) and daily needs (Level 2 charging).

While we must electrify transportation in order to meet our climate change and air quality goals, this mandate is coming at the same time as the push to electrify our buildings. As these

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<sup>1</sup> NYC Office of the Mayor. "Mayor Adams, TLC Commissioner Do Deliver On "Green Rides" Program To Make All NYC Shared Rides Zero-Emission Or Wheelchair Accessible By 2030."  
<https://www.nyc.gov/office-of-the-mayor/news/790-23/mayor-adams-tlc-commissioner-do-deliver-green-rides-program-make-all-nyc-shared-rides#/0> October 18, 2023.

<sup>2</sup> ABC7 New York. "New York becomes 2nd state to mandate zero-emission vehicles by 2035."  
<https://abc7ny.com/electric-vehicle-new-york-zero-emissions-cars/12279246/> September 30, 2023.

transitions occur, we must acknowledge that what were once siloed sectors are now interconnected. **We encourage NYC DOB to consider policies to ensure that the electrification of buildings (via implementation of Local Law 97) does not inadvertently undermine efforts to electrify transportation.**

### **Defining “Beneficial Electrification”**

While It's Electric is unique in utilizing a behind-the-meter connection for public curbside charging, any EV charger installed for private use – in a residential or workplace context – draws from the building's electrical panel. What's more, nearly every publicly-accessible Level-2 EV charger deployed on private property – such as those at shopping malls or rest stops – is also reliant on a behind-the-meter connection. Indeed, as we wait for new grid resources to come online over the next few years, we will have to take advantage of existing grid capacity to deploy EVSE quickly and at scale.

**However, Local Law 97 as it is currently structured disincentivizes buildings from installing EVSE, because such installation would add to the building's load.** There is a relatively easy fix: the “beneficial electrification” credit framework could be modified to include EVSE. The proposed language focuses on incentivizing building owners to install and use heat pumps and other more efficient forms of water heating systems. By expanding the definition to include EVSE, building owners could have another way to earn credits under Local Law 97, this time by providing their tenants, employees, and visitors with the infrastructure needed to make the switch to EVs. Furthermore, Local Law 97 would be in keeping with the other electrification goals of the Adams administration.

### **About It's Electric**

It's Electric is electric vehicle (EV) charging purpose-built for cities, with a mission to unlock access to clean vehicles for all urban drivers. Launched in 2021, It's Electric is solving an urgent challenge: municipalities are leading the way in setting policy targets to mandate a transition to EVs, but no scalable charging solutions existed for the millions of drivers who don't have access to a private driveway or garage. In New York City alone, one million drivers park on the street. If we want all New Yorkers to have access to electric mobility, we must provide them with convenient and affordable public charging options where they already park: the curb.

It's Electric is addressing this challenge by harnessing spare electrical capacity from nearby buildings to deploy low-footprint curbside Level-2 EV chargers. We create a behind-the-meter connection to property owners' electrical panels to tap this excess capacity, thereby avoiding the barrier of grid limitations and the costly and time-consuming process of creating a new utility interconnection. Because of these significant savings, we can take on the capital and

installation costs ourselves, without requiring contributions from our municipal partners or our host properties. Furthermore, we can afford to deploy in areas that don't yet have high rates of EV ownership yet – where we know utilization will initially be low – thus breaking the chicken-or-the-egg cycle that is currently stifling EV adoption in urban areas.

In return for hosting an It's Electric charger, host properties receive 20% of the charger's topline revenue, creating a new passive income stream for them while making it easier for everyone in their community to charge an EV. And unlike other “public” chargers – which are often located in parking lots or garages that charge a fee to access – we are a truly public charging option. With revenue sharing for host properties, plentiful access for (current and future) EV owners, and virtually no impact on municipal budgets – It's Electric is a win for everyone.

We specifically designed our charging hardware to complement the urban landscape. While most other U.S. EV charging equipment is designed for installation in garages, parking lots, or highway rest stops, without a focus on aesthetics, It's Electric chargers are sleek and unobtrusive at just 7"W x 7"D x 43.5"H, and the first in North America to feature a bring-your-own charging cord configuration. Not only does this make our chargers easier and cheaper to install, it also ensures that the majority of the sidewalk is clear of obstruction – a priority for all New Yorkers, especially those with mobility limitations.

In our first two years of operations, we have achieved substantial traction for our first-of-its kind business model, including publicly-sponsored deployments in New York City and Detroit, a partnership with Hyundai, acceptance into several highly competitive accelerator programs, and backing from renowned investors and strategic advisors.

### **Conclusion**

We would welcome the opportunity to work with the General Counsel's office on regulatory language, or to provide additional information or material to help develop this guidance. Thank you again for your consideration of our testimony.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan King', with a stylized flourish at the end.

Nathan King, AIA  
Co-Founder & CEO, It's Electric, Inc.