

Contact: Ryan McKinnon
703-772-0123



April 24, 2024

Nebraska EV charging legislation opens door for private investment

-- LB 1317 prevents unfair competition from power companies in emerging EV charging market --

LINCOLN – Charge Ahead Partnership, a coalition of businesses and organizations working to expand access to the electric vehicle (EV) charging marketplace, applauded Nebraska lawmakers and Gov. Jim Pillen for legislation that allows for a free market for EV charging and will attract investment in this growing field.

In a win for small businesses, power consumers and EV drivers in Nebraska, Gov. Jim Pillen signed legislation to prohibit power companies from using ratepayer funds to compete with the private EV charging marketplace.

“Fuel retailers like myself know that there is real opportunity in offering EV charging to the drivers we serve every day,” said Raina Fromm, owner of Shoemaker’s Travel Center in Lincoln. “This legislation creates a level playing field for competition, underscoring Nebraska’s commitment to the private marketplace and entrepreneurial investment.”

With more and more EVs traveling the nation’s highways and streets, fuel retailers, entrepreneurs and investors see an opportunity to offer EV charging to drivers. However, in many states, power companies have introduced plans to raise rates on electric customers in order to subsidize utility-owned charging stations that operate outside normal market conditions and compete directly with private investment.

The provision, sponsored by Sen. Eliot Bostar and signed by the governor as part of LB 1317 on Wednesday, establishes a process to give businesses the confidence they need to invest, while still leaving the opportunity for power companies to offer EV charging in locations where the private marketplace does not invest.

“Nebraska is establishing itself as a leader in the free market for EV charging and will attract investment from the businesses hoping to provide this service to drivers in the coming years,” said Charge Ahead Partnership Executive Director Jay Smith. “A common-sense approach like this will allow innovative businesses to build the state’s charging network, rather than passing the bill on to captive ratepayers.”

For the next three and a half years, non-utility EV charging providers can eliminate the possibility of utility competition near their location. If a utility wants to build a charger, private businesses have 90 days to announce plans to build in that area and can claim a right of first refusal, ensuring that the utility cannot build within 15 miles of that location. This process sunsets after 2027, but utilities will still be prohibited from owning stations within 10 miles of a charger built or in the permitting process during the initial window.

The law also prohibits utilities from operating charging stations that are not subject to the same rates, terms and conditions as a privately-owned charger. Utilities in other states have used ratepayer funds to offer EV charging at below market rates, resulting in higher power bills and undercutting private businesses. Lastly, the legislation allows non-utilities to sell power by the kilowatt-hour, which is the standard for EV charging sales across the U.S. Nebraska was the last state to pass this provision, which is necessary in order for the state to distribute \$30.2 million in federal funding through the National Electric Vehicle Infrastructure program.

###

*To learn more about **Charge Ahead Partnership (CAP)** and our efforts to help expand America’s EV charging network please visit www.chargeaheadpartnership.com. In addition to joining CAP you can stay connected with us by following us on social media on Twitter at [@EV_ChargeAhead](https://twitter.com/EV_ChargeAhead), on LinkedIn at [@ChargeAheadPartnership](https://www.linkedin.com/company/ChargeAheadPartnership), on Facebook at [@ChargeAheadPartnership](https://www.facebook.com/ChargeAheadPartnership) and on Instagram at [@EVChargeAhead](https://www.instagram.com/EVChargeAhead).*