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To: Senate Utilities, Technology and Telecommunications Committee  
From: Toni Herkert, Government Affairs Director, League of Wisconsin Municipalities  
Date: February 2, 2022  
RE: Senate Substitute Amendment 2 to SB 573 – Related to EV Charging Infrastructure

Chairman Bradley, Vice Chair Roth, and members of the Utilities, Technology and Telecommunications Committee,

The League of Wisconsin Municipalities, representing nearly 600 municipalities, both large and small, originally supported SB 573, the electric vehicle charging station legislation offered by Senator Cowles and Representative VanderMeer. However, due to the substitute amendment, which precludes municipalities from owning, operating, managing, leasing, or controlling charging facilities, we have since modified our registration to opposition, a move we were hoping not to make.

The substitute amendment could allow municipal involvement in three specific cases including:

1. Municipalities may be able to work with a third party, such as a business or investor-owned utility, to place EV charging facilities on municipal property, including parking garages, parks, libraries and city hall, for use by the public. However, this practice has been brought into question because even though the municipality may not own the charging infrastructure, they still may need to manage, operate, or control the infrastructure in these third-party contracts.
2. Municipal electric utilities, of which there are 80 statewide (out of 604 cities and villages), would be allowed to own and operate EV charging stations under certain conditions.
3. Communities could own and operate EV charging stations to be used solely for the purpose of recharging municipal fleets.

The League appreciates the consideration of municipalities and municipal properties in the drafting process; however, the end result is not a package we can support. A complete prohibition against municipalities owning, operating, managing, leasing, or controlling EV charging facilities does not allow for all areas of the state to be reliably served with charging facilities. Limiting entities that can provide charging facilities will simply result in the most profitable areas, where the market dictates successful investment, to be reliably served. We do not want electric vehicle charging opportunities to mirror the lack of market incentives witnessed for broadband investment in rural areas, it will again be those smaller and more rural communities that will be most impacted and under or unserved.

We believe the prohibition against municipal ownership of EV charging stations is short sighted, especially considering the federal infrastructure dollars that have been targeted to states and localities for the build out of EV charging infrastructure. In order to design and develop a reliable network of EV charging facilities, including in areas where costs may outweigh benefits and thus not attract private business investment, municipalities must have the option to be part of the roadmap for delivering services to municipal residents, tourists and to support small main-street businesses.

The League supports the original legislation without Senate Substitute Amendment 2 and asks committee members to vote down the substitute and vote in favor of the simpler original bill. Thank you for your consideration. If you have any questions, please feel free to reach out to me at your convenience at [therkert@lwm-info.org](mailto:therkert@lwm-info.org).

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