



To: The NYC Department of Environmental Protection

Re: Request for a variance from provisions of Local Law 58 of 2018 based on vehicle in-cab critical device use.

Date: 2/1/2022

Charter is committed to protecting the environment in the cities that we serve and to which we provide critical communications infrastructure. This is especially true in NYC, where we have implemented multiple environmentally friendly initiatives. Charter has begun to build out a fleet of electric vehicles which will meaningfully reduce greenhouse gases as we further expand the fleet. We use telematics equipment to monitor excessive idling times and ensure compliance with local regulations, continually upgrade equipment with larger battery capacities, and run a robust recycling program across all of our NYC depots.

Since late 2019, Charter Communications has received over 200 idling complaint citations totaling tens of thousands of dollars which originated from the Citizens Air Complaint Program, Local Law 58 of 2018. The majority of these have been settled through OATH hearings. A large percentage of these citations revolve around a vehicle being on while a technician is inside the cab utilizing and/or charging one of the critical pieces of equipment necessary to complete the many different types of communications work we perform. As this equipment is used throughout the day, it need to be continually charged utilizing power from the vehicle.

Examples of equipment which needs continual charging includes Signal Level Meters, Pressure Testers, Fusions Slicers, Optical Time Domain Reflectors, and laptops. In addition, equipment such as CLI Gear and the associated CLI signal guns are hard wired into the vehicle. All Charter vehicles are equipped with inverters which transfer the engine's power to a standard electrical outlet which in turn is used to power the devices mentioned. Without the vehicle's engine being on, the inverter cannot operate properly and cannot supply power.

Pursuant to section 24-110 of the New York City Administrative Code, Charter is requesting a variance to Local Law 58 of 2018 for the circumstances described herein. We request that when a Charter vehicle is on, has a Charter technician inside the cab compartment, and has the vehicle's amber strobe lights on, that it be exempt from receiving an idling citation. These criteria will indicate usage of the processing devices previously enumerated. We seek a variance through December 31, 2026.

In conclusion, our technicians cannot perform their critical work duties without the equipment mentioned, and that equipment cannot function without being continually charged. We respectfully request the Department consider this variance request.

Please do not hesitate to contact us related to this request. We welcome continued discussion of the appropriate circumstances under which a variance should be granted, and are committed to reaching a consensus with the Department of Environmental Protection.