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Los Angeles, CA 90064

June 24, 2019

California Air Resources Board
1001 I St.
Sacramento, CA 95814

Re: SB 454 – EVgo Opposition to Proposed Electric Vehicle Supply Equipment Open Access Standards

Dear Board Members and Staff:

EVgo appreciates the opportunity to provide additional feedback on the California Air Resources Board (CARB) Proposed Electric Vehicle Supply Equipment (EVSE) Standards. As the nation's largest public fast charging network, EVgo has worked with CARB, the California Energy Commission, the California Public Utilities Commission (CPUC), and others in the public and private sectors in building across California. More than 70% of California residents live within 5 miles of an EVgo fast charger, and we continue to expand our state-leading network. EVgo has engaged with CARB staff through the regulatory process – including industry stakeholder meetings, numerous meetings, and public comment filings – and appreciates CARB staff's efforts throughout this rulemaking.

In addition to more than 1,200 DC Fast Chargers (DCFC) operating across the nation -- approximately half of which are in California -- we have also completed construction and are waiting on utility interconnection on over 100 more. In the last 90 days alone, EVgo has energized and started delivering fast charging to 100 new DCFC and we will have more than 1,350 operational by summer's end. We are on track to double our capacity by the end of 2020, however the SB 454 rulemaking, as proposed, puts many of these chargers at risk. EVgo's California network also includes nearly 600 legacy Level 2 chargers, a large proportion of which serve doctors and staff at Kaiser health facilities across the state.

EVgo shares CARB's mission for a seamless and convenient customer experience and has the best operating record in the industry with more than 98% uptime and the highest consumer scores on Plugshare of any U.S. public charging network. Moreover, EVgo shares CARB's commitment to equity and Electric for All; today, 40% of EVgo's California installations are in low income communities, and 20% are in disadvantaged communities.

As background, EVgo has actively engaged on this rulemaking with electric vehicle service providers (EVSPs) and manufacturers through the Electric Vehicle Charging Association (EVCA), and echoes EVCA's comments on all points, including parity on compliance timelines for DCFC and Level 2 and allowing for existing infrastructure to wait until the end of its useful life of at least 10 years before replacements or retrofits will be necessary. As stated in its letter, the coalition is also very concerned by CARB's preemptive action on the Division and Measurement Standards rulemaking before those regulations are final.

However, in order to achieve our state's aggressive goals for serving 5 million EVs by 2030, EVgo provides three key points about why we oppose the proposed rulemaking.

EVgo thanks the CARB staff and Board in advance for its consideration of our feedback and looks forward to a productive discussion at the June board meeting.

I. Roaming agreements have been put in place to improve interoperability, nullifying the need for a credit card reader requirement.

When SB 454 was passed in 2013¹, there was no industry-wide payment interoperability. However, now many of the largest EV charging service providers have announced bilateral interoperability agreements^{2,3,4}. For example, EVgo recently announced bilateral interoperability agreements with ChargePoint and EV Connect.⁵ These agreements will provide EVgo customers with access to the more than 400 fast charging stations, in addition to more than 750 EVgo DCFC stations across the U.S. Additionally, EVgo's more than 150,000 customers will be able to access those fast chargers as well as more than 9,000 Level 2 stations from all three charging companies using their EVgo app. EVgo expects to make additional announcements regarding interoperability later this summer.

EVgo's interoperability agreements are all based upon the Open Charge Point Interface ("OCPI") which is a global standard, rendering a California-specific standard as an additional, unnecessary complexity. Moreover, if other states followed CARB's direction and implemented their own state variants, that roaming could become nearly impossible to implement on a national basis.

II. EVgo's \$102MM investment with the California Public Utilities Commission did not require EMV chip; CARB's draft regulation does.

In California, EVgo has been implementing a \$102 million EV charging infrastructure program on behalf of NRG Energy, Inc. under their Settlement with the CPUC. Through this program, by the end of the summer, EVgo will have energized more than 550 fast chargers – in addition to Level 2 and make ready stubs – including several Equal Access Charging Hubs (EACH) in Anaheim, Richmond, Oakland, and other locations.

Additionally, the program required investments in projects that increased awareness of the social benefits of electric vehicles while creating opportunities for residents of under-served communities to gain access to electric vehicles. One such program was Green Raiteros, an 18-month partnership with San Joaquin Valley Latino Environmental Advancement Project (Valley LEAP), the Fresno County Rural Transit Authority (FCRTA), the Shared Use Mobility Center (SUMC), and West Hills Community College to build upon an existing grassroots ridesharing program in the San Joaquin Valley, The Raiteros. EVgo worked with the program to establish a sustainable business plan for electrifying the Raiteros program's vehicles, deploy EV charging infrastructure to support electric vehicles for the program, and demonstrate the use case for rural ridesharing.

CARB's regulations, as proposed, jeopardize this \$102 million investment, made under CPUC authority, which began in 2012. The CPUC wisely required multiple forms of access for payment, including credit card readers, but did not require those credit card readers to be EMV chip capable.

¹ http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB454

² <https://greenlots.com/greenlots-and-chargepoint-partner-to-increase-access-to-ev-charging-throughout-north-america/>

³ <https://www.greencarcongress.com/2018/10/20181019-ea.html>

⁴ <https://www.cnet.com/roadshow/news/electrify-america-chargepoint-roaming-partnership/>

⁵ <https://www.evgo.com/about/news/evgo-announces-new-roaming-access-for-ev-charging/>

EVgo believes that the experience and expertise of other state agencies with unique requirements for various state and utility-funded programs should be taken into account when formulating other requirements for the industry. From the EVSP perspective, it is challenging when multiple regulators within California have different program requirements, and this practice limits our ability to rapidly scale to meet California’s infrastructure needs.

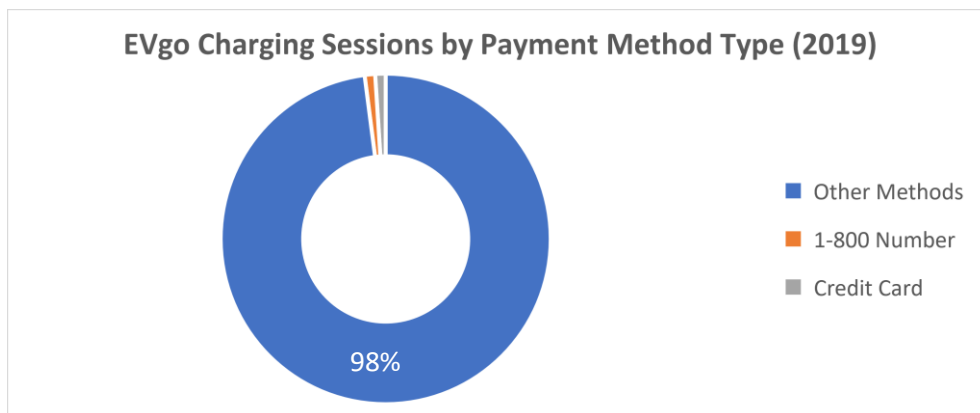
This will be especially true if the regulations do not exempt existing infrastructure. The draft regulations will lead to many existing Level 2 chargers to be either turned off or moved to “private” to avoid expensive upgrade costs. Additionally, much of EVgo’s legacy DCFC infrastructure will not be able to be retrofitted and would instead have to be replaced, at a cost of millions of dollars not funded through the CPUC Settlement, unless the 10-year phase in requested by EVCA and other stakeholders is included in the final rule.

Additionally, EVgo has also heard from many of its site host partners that due to data security concerns, they do not want credit card readers located on their premises. EVgo worries that this regulation will lead many potential site hosts to reject EV charging on their locations due to these concerns.

III. EVgo payment session data demonstrates that only 1% of payment sessions are initiated by credit card. No data has been demonstrated by CARB staff to show that this will increase in the future.

EVgo is uniquely positioned to provide data on credit card reader usage on its network based on our experience installing credit card readers at most of our California stations. Despite this investment in credit card readers at stations in California, we believe this is an unnecessary investment moving forward.

While the goal of trying to increase accessibility to EVSE through requiring credit card accessibility is well-intentioned, the reality of credit card usage at our existing sites shows that credit card readers are not customers’ preferred method of payment. In fact, our data shows that approximately 1% of payment sessions have been initiated by credit card in 2019; these numbers remain unchanged since 2018.



EVgo has not seen any data throughout this rulemaking demonstrating that credit card usage will increase in the future, or that credit cards are the appropriate payment method for enabling widespread access to EV charging for new demographics of EV drivers. In fact, EVgo’s data demonstrates the opposite, as we expect to see increased payment sessions being initiated by

mobile app as well as new payment options such as Apple and Google Pay, which we are exploring for a possible 2020 launch.

In addition to expanding to new payment options, EVgo announced in April that it is the first North American charging network to deploy Autocharge.⁶ This enables customers to start a fast charging session in seconds, without an app, RFID, or credit card. This was launched first for GM's Maven Gig members and will be deployed to all CCS chargers on EVgo's nationwide network by end of 2019. This new option for payment, similar to what FastNed has deployed in the Netherlands, was implemented by EVgo ahead of industry-wide implementation of the ISO 15118 'Plug&Charge' standard, which we continue to work to support as well.

Conclusion

EVgo thanks CARB staff for its willingness to meet with stakeholders on this regulation. However, based on our unique experience in the marketplace, we respectfully oppose the staff recommendation. Given that credit card usage on networks remains low and a number of roaming agreements have been announced, a credit card mandate is no longer needed. Instead, EVgo recommends that this Board item be tabled for discussion, and a workshop on the progress and lessons learned from roaming agreements be held by CARB staff one year from the June board meeting, in June 2020.

EVgo thanks the CARB board and staff for the opportunity to provide input on this important rulemaking. Please do not hesitate to be in contact if we can answer any questions or be a resource.

Sincerely,



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⁶ <https://www.evgo.com/about/news/evgo-is-first-north-american-ev-charging-network-to-deploy-autocharge-technology-enabling-an-instant-start-your-charge-experience-without-apps-or-cards/>