



June 24, 2019

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

Re: Agenda Item 19-6-3: Proposed Electric Vehicle Supply Equipment Standards (45-day)

**Clean Transportation
Technologies and Solutions**

www.calstart.org

Board of Directors

Ms. Lisa Alexander
Southern California Gas
Company

Mr. John Boesel
CALSTART

Mr. Jack Broadbent
Bay Area Air Quality
Management District

Mr. Cedric Daniels
Southern Company

Ms. Donna DeMartino
San Joaquin Valley Regional
Transit District

Ms. Karen Hamberg
Westport Fuel Systems

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South Coast Air Quality
Management District

Mr. Mike O'Connell
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Mr. Scott Phillippi
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Ms. Laura Renger
Southern California Edison

Mr. Pasquale Romano
ChargePoint

Mr. Chris Stoddart
New Flyer of America

Mr. Stephen Trichka
BAE Systems

CALSTART respectfully submits these comments on the proposed regulation, which is in response to Senate Bill 454, the "Electric Vehicle Charging Stations Open Access Act" (Corbett, statutes of 2013). SB 454 authorized CARB to adopt "interoperability billing standards" provided that a "national standards organization" has not adopted interoperability billing standards by 2015.

CALSTART's mission is to achieve deep decarbonization of the transportation sector nationally and globally, in turn improving air quality and quality of life, reducing dependence on petroleum, and creating jobs through the promotion of advanced transportation technologies. CALSTART represents a diverse coalition of more than 200 member organizations, including vehicle fleets, vehicle manufacturers, clean fuel and electric vehicle service providers, and electric and gas utilities. CALSTART is not a consensus-based organization, but rather works with its robust clean transportation industry membership to inform its views and recommendations relative to policy measures that can activate and accelerate markets for clean transportation.

CALSTART was founded 1992 and since that time has been a trusted partner of the clean transportation industry and government entities to understand emerging transportation technologies and practices, disseminate lessons learned and best practices, and support market development for promising technologies.

CARB Should consider the Legislative Intent of SB 454 in Deciding the Best Path Forward

California's goals for the exponential growth of EV adoption depend upon the expansion of charging infrastructure. The legislative intent of SB 454 is clear:

"It is the intent of the Legislature to (1) promote a positive driving experience by assisting in the widespread deployment of electric vehicles, [and] . . . (3) facilitate expanded EV driver access to electric vehicle charging stations in public places."

AB 2127 (Ting, Statutes of 2018) codified the connection between EV charging infrastructure, EV adoption, and GHG goals by establishing the need to assess the state's EV charging infrastructure to meet the established goal of 5 million ZEVs by 2030. That bill also clearly connected these EV infrastructure goals to reducing GHGs 40% below 1990 levels by 2030.

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Therefore, we encourage CARB to proceed with this legislative intent in mind—any regulations adopted as “implementation” of SB 454 should primarily serve to improve the experience of EV charging so that more Californians will buy EVs. If a consequence of adopted regulations is that EV charging companies respond by reducing their overall investment in new chargers, that would clearly be contrary to the legislative intent of making EV charging more ubiquitous through “expanded access” in public places.

We do not find that SB 454 was written in a highly prescriptive manner that specifies hardware requirements, as CARB staff seems to assert in their 45-day language. The legislation was prescriptive regarding the prohibition against a “membership fee” and regarding the ability to pay “via a credit card.” CARB Staff has interpreted this to mean that stations require hardware to read a credit card, which we simply wish to point out is an interpretation of the non-explicit statutory language.

If adopted, regulations requiring retrofits of existing EVSE should allow for a phase-in period of at least 10 years.

CALSTART wishes to support the comments of various charging companies (EVSPs) and Cal-ETC who state that EVSPs should not be forced to retrofit existing stations until the end of their useful life. It is in the public’s interest to spend scarce public and private funds *expanding* EV charging infrastructure to make it more ubiquitous, and therefore easier to access. It is not in the public interest to force costly retrofits upon the market-leaders who built stations at a time when the business case for doing so was not particularly strong. As the useful life of a charging station is expected to be approximately 10 years, for existing stations, we suggest the regulations be amended to include a compliance date of 10 years post-adoption. This will allow whatever hardware requirements are adopted to be installed when a station owner is replacing equipment.

The environmental implications of needlessly scrapping charging equipment should also be considered by the board. It does not appear to us that the cost-effectiveness of a requirement on existing stations has been paramount in this regulatory process to date.

If adopted, the compliance date for DC-Fast Charging Stations should be extended

We read the 45-day language as requiring all DC Fast Charging (DC-FC) stations installed on or after July 1, 2020 to comply with the proposed requirements. Given that building and installing a DC-FC is a fairly “bespoke” process at this stage of market development, and this date is barely 12 months after the (expected) adoption of regulations, this could significantly hinder the construction and availability of DC-FC stations. At a time when significant public funds are being spent to get these stations installed as quickly as possible, this would be an unfortunate side-effect. 12 months is



simply not sufficient time for the industry to respond to this regulation and alter its supply chain for new hardware requirements.

In closing, CALSTART thanks CARB Staff for their work on this rulemaking over many years, and hopes that the Board will further consider the critical need for EVSE buildout in California and the potential unintended consequences that may result from prescriptive regulations. SB 454 embodied the important goal of helping EV drivers understand where and how to access charging stations and making the charging process more comparable to fueling at a gas station, and implementation of this bill via regulations is an important step forward. However, California should continue to encourage innovation and investment and consider very carefully what signals it is sending to a nascent industry that is at the forefront of our battle against climate change and reducing GHGs from California's transportation sector.

Sincerely,

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Submitted Electronically via online comment portal for EVSE2019