



October 17, 2022

CARB Board Members
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Submitted Electronically

Subject: Proposed Advanced Clean Fleet (ACF) Regulation

Dear Chair Randolph, Vice Chair Berg, and CARB Board Members:

We appreciate the opportunity to comment on the proposed ACF that will appear before you on October 27th. Unfortunately, given current technology, we need your help to address a group of operational challenges and long-term barriers to moving toward a 100% EV fleet in the emergency context.

All of our companies offer consumers in California essential information services, including internet, telephone, video, and wireless phone connectivity. We are concerned that the proposal fails to take into consideration the very real possibility that we will be hindered in our ability to service our infrastructure and customers if any part of the power grid is impacted by natural disaster, terror attack, PSPS events, or other potentially prolonged or widespread outages. California experiences significant and regular wildfire incidents, earthquakes, and atmospheric rivers that can damage, or impair its power grid. Impacts could range from very serious health and safety issues to violation of contractual and regulatory obligations around service restoration and response times.

An additional concern relating to charging capacity is the fact that California's EV charging infrastructure (both the grid and charging locations) are unable to support today's volume of electric vehicles on the road in an emergency situation without years of infrastructure investment, development and deployment. California already requests citizens to not charge their electric vehicles during certain hours due to strains on the grid. Those restrictions could prevent or limit operation of fleet vehicles and the ability to support our customer connectivity and service level commitments. That situation will only be exacerbated under the proposal as drafted. To ensure reliability and resilience as an essential service this is more than just a dedicated charging station for each vehicle such as a 220V station where the vehicle parks overnight. We have to consider backup power generation and what happens if there is temporary power outage impacting that vehicle, such as if the power for that charging station goes out. Currently, on an everyday basis, our operations would require DC or Level 3 EV charging infrastructure within a few miles of each of the locations where fleet vehicles park overnight to ensure this resilience, and these infrastructure investments may take years to come online at that frequency throughout California. In fact, the US Department of Energy map shows "DC Fast" charging for J1772 concentrated in metro areas, and it may be infrequent, or non-existent, in other, more rural, parts of California.

The recently approved Inflation Reduction Act allows for significant investment in R&D for vehicle technologies, and, looking longer term, we believe there may be better ZEV vehicle technologies on the market in five or ten

CCTA Comments on Advanced Clean Fleet Regulation

October 17, 2022

Page 2

years to address the operational challenges associated with supporting emergency situations that cause prolonged or widespread outages. The proposed regulation does not allow the flexibility needed to deal with this long lead time, and, given the many uncertainties with given technologies to address these emergency situations, reasonable time should be allowed to see what the market can provide.

We would propose modifications to the proposed regulation to ensure we are able to join you in reaching the goal of carbon neutrality with the least impact on our customers and our companies:

1. For the reasons outlined above, we respectfully request that CARB include “telecommunication industry vehicles” in its proposed Section 2015(c) list of vehicles that are exempt from sections 2015 through 2015.6. Such an exemption would ensure that telecommunication industry vehicles are able to provide critical – and often emergency – services around the clock without interruption. Alternatively, we request that CARB at least include “telecommunication industry bucket trucks” in the Section 2015(c) exempt vehicle list because bucket trucks are not fungible and are especially critical when our companies must quickly restore essential telecommunication services. Charging ZEV bucket trucks may not be a viable option during emergency situations, especially when charging stations themselves are not functioning or where telecommunication repairs are needed in remote areas that lack ZEV recharging infrastructure. If you are unable to simply exempt our fleets, we would suggest other changes to the proposed regulation that would allow us to mitigate the significant and negative impacts.

2. We respectfully submit that CARB’s proposed “ZEV Unavailability Exemption” does not adequately account for commercial availability. The exemption would allow fleet owners to purchase a new internal combustion engine (ICE) vehicle and exclude it from the ZEV MY Schedule or ZEV Milestone requirements if there are no ZEVs “of the needed configuration commercially available.” CARB proposes to maintain a list of “commercially unavailable vehicles” although it fails to specify which criteria it will use to determine commercial unavailability. At minimum, CARB should propose for public comment how it intends to determine commercial availability. Instead of creating a “commercially *unavailable* vehicles” list, we recommend that CARB maintain a “commercially *available*” vehicle list based on market conditions and other factors such as whether ZEVs are available for purchase and in stock from multiple manufacturers,¹ economic viability, i.e., the ZEV’s retail price should be comparable to a similarly configured internal combustion engine vehicle, range and duty cycle considerations. We also note that currently there are no commercially available ZEV bucket trucks that would meet our companies’ specification requirements, including no existing certified aftermarket upfitter for the aerial application on any ZEV cab and chassis body types in that weight class.²

¹ Among other things, ensuring there are multiple manufacturers increases the likelihood that a vehicle will be able to be serviced relatively quickly.

² CARB’s Proposed Advanced Clean Fleets (ACF) Regulation Provisions Workgroup (July 26, 2022) claims Class 6 and Class 7 bucket trucks are “available,” i.e., “Configuration is available for order, has confirmation of an order, or has a confirmed delivery to a customer,” although Class 4, 5 and 8 bucket trucks are “To Be Determined,” i.e., “More information is needed to determine if configuration is available for order.” CARB does not provide support for its assertion – and bucket trucks are not listed in Appendix J: Commercial ZEV list 2022 – but even if it were true, our companies cannot reasonably deploy Class 6 or Class 7 bucket trucks to provide telecommunication services.

CCTA Comments on Advanced Clean Fleet Regulation

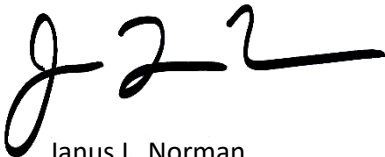
October 17, 2022

Page 3

3. Expand the Backup Vehicle Exemption and Emergency Event Exemption to cover companies that provide essential and emergency restoration services like ours. Our companies do not keep a separate fleet of vehicles for these emergencies. Rather, our entire fleet is available for use in these situations due to the uncertainty of where the event may occur and the circumstances around needed restoration activities. We do not wait for a government entity to declare an emergency – which is often after an event – before working to restore connectivity for our customers.

We would be happy to discuss our concerns with you. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J L Norman', with a long horizontal stroke extending to the right.

Janus L. Norman

President