

June 24, 2019

Mary D. Nichols, Chair
California Air Resources Board
1011 I Street, P.O. Box 2415
Sacramento, CA 95814

SUBJECT: Docket EVSE2019 - Electric Vehicle Supply Equipment (EVSE) Standards

Dear Chair Nichols and Members of the Board,

I write to express the City of Sacramento's support for the Board's goal to increase driver access to Electric Vehicle Service Equipment (EVSE) and create a more consistent and transparent electric vehicle (EV) charging experience. We agree that the lack of consistency can lead to user confusion, and believe that improving open access and transparency are important to advancing EV adoption to achieve state and local goals.

The City of Sacramento is committed to become the "Zero-Emission Vehicle Capital of California." Our adopted goal is to achieve 75,000 zero-emission vehicles (ZEVs) in Sacramento by 2025, representing our contribution to former Governor Brown's goal of 1.5 million ZEVs statewide by 2025. We have a goal of deploying more than 200 additional public charging stations, in addition to the 54 public EVSE units we currently operate. The City is also a proud award recipient of the CEC's Phase 1 EV Ready Communities Challenge (GFO-17-604). Our team is currently conducting EV planning and analyzing infrastructure gaps and barriers to help achieve our goals. We recognize that infrastructure investments by a wide variety of public and private partners are critical for widespread, equitable EV deployment.

We appreciated the opportunity to participate in the EVSE Standards Rulemaking webinar on April 2, 2019, and the public workshop to discuss implementation of the Electric Vehicle Charging Stations Open Access Act on November 7, 2018. We have engaged closely with CARB staff over the past year about the proposed regulations, and commend staff for their collaboration, engagement, and availability. We have further reviewed the proposed Initial Statement of Reasons, Regulation Order, and other attachments. Based on our analysis, we strongly urge the Board to delay the proposed timelines for compliance, which would be extremely onerous and prohibitive for local governments to comply with.

The City of Sacramento is committed to increasing access to EV charging stations. Public agencies like the City play a critical role in widespread deployment of charging infrastructure to our residents, businesses, and visitors. Public agencies have catalyzed EV usage by installing EV infrastructure, filling the gap left by private markets and ensuring community access to EV charging, with a legacy focus on Level 2 (L2) EVSE. Our goal is to ensure that public agencies can continue serving as key partners in expanding EVSE in a manner that is equitable accessible to all while supporting the private markets to develop and expand universal EV charging.

In light of our shared goals, we respectfully request additional time for compliance, to allow for public agencies to continue participating as EV charging operators. Without an extension to this timeline, local agencies like ours may be forced to close public EVSE, due to the unfunded mandates that an accelerated timeline would create, reducing public opportunities for EV charging.

We further elaborate on three key issues for the Board's consideration:

1) We strongly urge an extended phase-in compliance period to replace existing Level 2 and DCFC EVSE to the time at which the EVSE is replaced, but no later than July 1, 2033, with a similar extension in compliance period for monitoring and reporting.

Based on discussions with CARB staff, we understand that staff anticipate proposing a revised compliance timeline for L2 and DCFC EVSE. The current proposal would have required compliance with the standard within five years from the date of installation, or July 1, 2023 (whichever is later). This requirement would cause significant financial hardship to public agencies that have served as key early owners and operators of EV charging infrastructure. It would mean that public agencies would have to retrofit or replace chargers currently being utilized by our communities, long before the end of their useful life. Under the originally proposed timeline, public agencies would be penalized, as many public agencies do not have funding for compliance (e.g., unfunded mandate as many EVSE were installed through grant funding from the State). Additionally, other costs could be triggered to bring this infrastructure into compliance that may not have been considered by CARB staff. This could result in unintended consequences, including removal of useful charging infrastructure that is currently providing benefit to the public.

The City of Sacramento has served as an owner-operator of public Level 2 charging for over 20 year and currently operates 54 EVSE units (61 connectors) that are available to the public. Page C-34 of the associated Standardized Regulatory Impact Assessment (SRIA) of the proposal states that “local government agencies own 29 publicly available networked Level 2 EVSEs” based on early municipal participants in the Low Carbon Fuel Standard program, and that “the overall compliance costs to local government agencies is anticipated to be proportional to the number of EVSEs they operate.” However, this metric significantly undercounts the City’s L2 chargers, let alone L2 chargers operated by other public agencies across the state. It is recommended that CARB staff not refer to the Low Carbon Fuel Standard program as a measure of impact on local government agencies, as it is not a comprehensive representation of what is currently deployed in our communities. Public agencies anticipate costs of at least \$5,000 per each L2 replacement for compliance and while we will replace EVSE as they break or reach the end of their useful life, we emphasize that the total costs of local government compliance will be much higher than described in the SRIA.

In summary, a five-year compliance timeline would be counter-productive to the goals of the proposed standard. It would result in the removal of existing infrastructure before the end of its useful life and unintentionally disincentivize or delay local agencies that were early adopters from installing chargers to avoid disproportionate compliance costs. Extending the compliance timeframe is a critical revision to ensure public agencies are able to have an ongoing role in providing public L2 charging in their communities, specifically for public agencies. We believe an extended phase-in path for compliance for public agencies is critical. While we understand the revised timeline would likely apply to both public and private operators of EVSE, our request is specifically for an extended timeline for public agencies. We appreciate and strongly support the revised compliance timeline we expect to be advanced by CARB staff.

#2. We strongly encourage CARB’s coordination with the Center for Sustainable Energy (CSE) and the California Energy Commission to support state investment in the CALeVIP program, and encourage ongoing collaboration to align the CALeVIP program and proposed regulations.

CALeVIP is an important incentive launching across the state, helping to accelerate public charging at places where property owners are not typically motivated to initiate installations of their own accord. In the Sacramento County project alone, \$14 million is available for EVSE rebates. As proposed, the requirement poses a disincentive to participate in the CALeVIP rebate program. Our understanding is that the eligible equipment list for Sacramento County does not meet the proposed EVSE requirements. For example, the current list of eligible CALeVIP L2 charging infrastructure in the Sacramento region does not have point of sale (credit card) capabilities. More

CALeVIP offerings will soon launch in other regions including potential CCA led programs in 2020 and 2021. By imposing new regulations that do not grandfather or exempt infrastructure currently incentivized by another state agency, the regulations will constrain the benefit of the CALeVIP program and further limit our ability to collectively meet the State's aggressive goals for expansion of public EV charging.

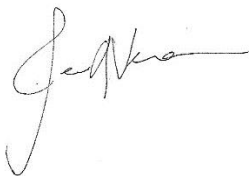
#3. We look forward to continued collaboration with CARB on the monitoring and reporting aspects of the regulation.

Public agencies have identified a number of initial concerns about the reporting requirements in the May 2019 proposal. We understand from conversations with CARB that staff will propose revisions to simplify data collection and reporting requirements for annual reporting. Local governments and other public agencies often use more than one networking company and receive data in different formats. A coordinated approach to streamline reporting processes is necessary and must engage public agencies, network providers and CARB staff. Of note is that resources local government and other public agency resources dedicate to reporting, whether staff time or funds for technical support, is public money that is diverted away from installing new EVSE in our communities. We have limited budgets to implement this regulation, and at this time no additional funds are identified to support this activity. We will continue to monitor and evaluate the impact of reporting on our EV programs and look forward to collaborating with CARB staff to identify additional opportunities for simplifying reporting requirements for public agencies.

CARB's leadership to expand access to EVSE is exemplary, and the City of Sacramento commends the important role CARB is playing to support and amplify EV adoption. We support the intent of the proposed standard, and respectfully request the noted revisions to ensure a fair and reasonable approach to realize the State goals that does not pose undue burdens to the wide range of stakeholders necessary to deploy and operate EVSE. We believe this balance is critical to attain our shared vision of a zero-emission mobility future.

Thank you for your consideration and the opportunity for input.

Best regards,



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