



June 24, 2019

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

**Re: Docket EVSE201 - Electric Vehicle Supply Equipment Standard**

Dear Chair Nichols,

On behalf of the City of San José, I write to express support towards the Board's goal to increase access to Electric Vehicle Service Equipment (EVSE) which would give electric vehicle (EV) owners a more seamless and transparent charging experience. This lack of uniform information and access can lead to confusion for users, and we believe improving open access and transparency are critical to achieving state and local EV adoption goals.

Our City is committed to increasing access to EV charging stations with the help of our private and public partners. We have focused on providing Level 2 (L2) EVSE to our community and have installed 65 charging with 120 charging points. Our goal is to ensure public agencies can continue serving as key partners in expanding EVSE in a manner that is equitable accessible to all. Recognizing our shared goals, we respectfully raise the following concerns as the Board looks to adopt these regulations.

**1) We strongly recommend grandfathering current charging stations to allow rules to be applied only when stations are upgraded with new equipment.**

Upgrading current charging stations, even on an extended timeline, would require significant additional staff and resources to implement. This would lead to fewer new stations, reduce access for our residents, and result in a hardship for public agencies as well as numerous private retailers, community colleges and others, that have served as key early owners and operators of EV charging infrastructure.

The rationale for swift replacement of these chargers was based on faulty data. 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."

As previously stated, the City of San José alone operates 65 L2 chargers, 58 of which are publicly accessible. The Low Carbon Fuel Standard program doesn't comprehensively capture the number of chargers currently deployed in our communities. We anticipate costs of at least \$7,000 per each L2 replacement for compliance, totaling to at least \$455,000. The costs to comply with these regulations would be much higher than described in the SRIA.

A five-year compliance timeline would have been counter-productive towards the goals of your agency. Removing existing infrastructure before the end of the useful life of the equipment directly and materially impacts cities like ours that were early adopters in implementing EV infrastructure. Extending the compliance timeframe as proposed by CARB staff is a critical revision to ensure we can provide residents access to L2 charging infrastructure in their communities. The proposed revisions provide an appropriate phase-in path for compliance. We appreciate and strongly support the revised compliance timeline advanced by CARB staff.

**2) We strongly encourage avoiding the risk of technology obsolescence and consideration of forthcoming technologies in the rulemaking.**

Requirements to support specific payment methods and reporting on such methods are likely to result in burdensome maintenance costs, without necessarily improving access, as well as potential service and reporting gaps. Mobile payments are an increasingly popular form of payment. Credit cards themselves are now being equipped with RFID, rendering card readers obsolete. Card readers are subject to significant operator error, fraud and mechanical failure, as well as security gaps.

New payment methods will soon become available for many owners of new EVs. The CCS protocol ISO 15118, or more commonly referred to as "Plug & Charge", is a VGI communication protocol enabling charging stations and vehicles to securely process payments for charging sessions using unique vehicle identifying numbers (VINs) and individual customer payment data (credit cards) tied to that VIN. This communication protocol or a version thereof is already operational or is planned to be operational in all Tesla vehicles and charging stations, Electrify America charging stations, Polestar (Volvo), Daimler vehicles, and VW vehicles and subsequent brands. The California Energy Commission (CEC) has indicated a desire to make ISO 15118 a standard requirement for all CEC funded stations in the future via the CALeVIP program.

Finally, wireless communications technologies such as NFC, RFID, Bluetooth and Wifi are varied and rapidly evolving. Explicit rules defined around specific protocols may lead to infrastructure obsolescence and stranded assets.

A potential approach could be for the rules to require support for wireless protocols expected to be universally adopted by financial institutions. In addition, reporting rules should allow flexibility of the range of current and future protocols.

**3) 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. As proposed, the requirement poses a disincentive to participate in the CALeVIP rebate program. For example, the current list of eligible CALeVIP charging infrastructure does not comply with the proposed standards. More specifically, none of the eligible L2 EVSE has 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.

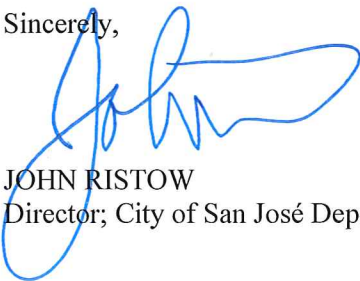
We look forward to continued collaboration with CARB on the performance and monitoring requirements included in the proposed rules. A coordinated approach to streamline reporting processes is necessary and must engage public agencies, network providers and CARB staff. It is important that the Board is cognizant that resources local government and other public agencies 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.

The proposal being considered may discourage or penalize public agencies from serving as public charging operators. We have a limited budget, and supplemental funding has not been identified by CARB. We will continue to monitor and evaluate the impact of reporting on our EV programs and encourage CARB staff to adopt rules to simplify the reporting requirements.

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 do not pose undue burdens on 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 to provide our input.

Sincerely,



JOHN RISTOW

Director; City of San José Department of Transportation

