June 24, 2019

Mary D. Nichols, Chair

California Air Resources Board

1001 I Street

Sacramento, CA 95814

**Re: Docket EVSE2019 - California Municipal Utilities Association’s Comments on California Air Resources Board’s Proposed Electric Vehicle Equipment Standards**

Dear Chair Nichols,

The California Municipal Utilities Association (“CMUA”) appreciates the opportunity to submit these comments on the California Air Resources Board’s (“CARB”) Proposed Electric Vehicle Supply Equipment (“EVSE”) Standards to implement Senate Bill (“SB”) 454 (Corbett) [Chapter 418, Statutes of 2013], the Electric Vehicle Charging Stations Open Access Act (“Proposed Regulation Order”).

CMUA is a statewide organization of local public agencies in California that provide electricity and water service to California consumers. CMUA membership includes publicly-owned electric utilities (“POUs”) that operate electric distribution and transmission systems. In total, CMUA members provide approximately 25 percent of the electric load in California. California’s POUs are committed to, and have a strong track record of, providing safe, reliable, affordable and sustainable electric service.

CMUA supports diversifying California’s transportation fuels and advancing the state’s climate change goals by significantly reducing greenhouse gas (“GHG”) emissions through transportation electrification. CMUA agrees that open access to EVSE is important to advancing electric vehicle adoption. CMUA respectfully presents the following issues for the Board’s consideration.

**Existing EVSE That Enables Public Charging Access by Phone Satisfies the Payment Requirement Under SB 454**

SB 454 requires that “An electric vehicle charging station that requires payment of a fee shall allow a person desiring to use the station to pay via a credit card *or* mobile technology, or both.”[[1]](#footnote-1) As a result, fee-based EVSE that allows public charging via phone authorization satisfies this requirement under the legislation. By authorizing this flexibility, the legislature recognized existing payment options that have been successfully deployed. However as written, the Proposed Regulation Order would render any existing fee-based public EVSE without a credit card reader on site as non-compliant.[[2]](#footnote-2) Agencies that have invested in such EVSE to advance California’s clean transportation goals would then need to either remove or replace the existing EVSE, or engage in costly retrofits. The resources required for this activity could much better support the state’s clean transportation goals by deploying additional EVSE instead of being spent to retrofit existing EVSE that already satisfies the requirements of SB 454. As such, CMUA encourages the Board to direct staff to revise the Proposed Regulation Order to reflect that existing public EVSE that provides access to charging via mobile phone is compliant.

**Regulatory Changes Affecting Existing EVSE Should Include an Appropriate Compliance Phase-In Period**

CMUA asserts that an on-site credit card reader is not required under SB 454 and that the Proposed Regulation Order should be changed to reflect this. If, however, the final regulation retains this requirement, CMUA suggests that the final regulation should include a more appropriate phase-in timeline. The Proposed Regulation Order establishes that existing Direct Current Fast Charging EVSE shall comply with the regulation within five years of installation, or by July 1, 2020, whichever is later and that existing Level 2 EVSE shall be compliant with the regulation within five years of installation, or July 1, 2023, whichever is later.[[3]](#footnote-3) However, as indicated in comments submitted by California Electric Transportation Coalition (“CalETC”), the useful life of a charging station is approximately 10 years.[[4]](#footnote-4) Spending public or ratepayer funds to needlessly replace or retrofit existing EVSE that could be used to install new EVSE will hinder the state’s ability to reach its clean transportation goals.

**Conclusion**

CMUA appreciates the opportunity to comment on the Proposed Regulation Order and looks forward to continuing to work with CARB to reach California’s clean transportation goals.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_/s/\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Frank Harris

Manager of Energy Regulatory Policy

California Municipal Utilities Association

915 L Street, Suite 1460

Sacramento, CA 95814

(916) 326-5807

fharris@cmua.org

1. Cal. Health & Safety Code § 44268.2(a)(1), *emphasis added*. [↑](#footnote-ref-1)
2. Proposed Regulation Order, p. 6. [↑](#footnote-ref-2)
3. *Ibid.* [↑](#footnote-ref-3)
4. Comments of CalETC on the Proposed Electric Vehicle Supply Equipment Standards, submitted on June 21, 2019, p. 2. [↑](#footnote-ref-4)