



September 18, 2019

Clerk of the Board  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Re: Docket EVSE2019 – Electric Vehicle Charging Stations Open Access

Dear Members of the Board,

Electrify America, LLC, appreciates the opportunity to comment on the modified text for the proposed electric vehicle supply equipment standards, also known as Electric Vehicle Charging Stations Open Access or Senate Bill 454. Electrify America is an electric vehicle (EV) charging provider that is making an investment of \$800 million over 10 years in charging infrastructure, access and education in California.

Electrify America is committed to building driver-friendly, easily accessible charging stations. Towards this end, Electrify America includes multiple payment options, including credit and debit card readers, on our public network of charging stations.

Electrify America also appreciates the ongoing commitment of CARB staff to conduct stakeholder engagement around the proposed regulation, and recognizes that CARB has modified some areas of the proposed language in ways that respond to industry recommendations. Electrify America wishes to address a few key areas in which the regulation could be improved with respect to clarity or consistency with statute.

#### 1. Definition of Publicly Available EVSE

The proposed standards provide that a publicly available EVSE does not include a workplace EVSE if it is “clearly marked and operated as available exclusively to employees or contracted drivers.” In previous comments, Electrify America highlighted specific concern with the phrase “clearly marked and operated,” pointing out that it did not establish a clear standard regarding what constitutes clear marking or operation. We recognize that CARB has partially addressed this concern by defining “clearly marked,” but we note that CARB has still not defined the “operated” part of the requirement. It remains unclear what electric vehicle service providers (EVSPs) or site hosts must do to satisfy this requirement.

Electrify America notes that the definition of “publicly available parking space” in S.B. 454 excludes spaces reserved for the exclusive use of groups of drivers, including both employees and visitors. This definition would not establish a requirement that businesses exclusively allow employees and disallow visitors from using charging equipment, in order to be deemed not publicly available.



## 2. Reporting Requirements

Electrify America recognizes and appreciates that CARB staff have reduced reporting obligations by eliminating uptime reporting requirements and EVSE-level pricing and payment information, which would have been difficult or impossible to track and report. However, the bulk of the reporting requirements are still included. These requirements include updating EVSE model certifications on an ongoing basis, which include detailed information on ports, connectors, payment devices installed, and photos of units, as well as annual reporting of EVSE inventory, including individual station information, geocoded location data, and aggregated numbers of charging sessions initiated by different means. Meeting these requirements still constitutes a significant, new and costly burden, which exceeds the requirements specified in statute. Electrify America will need to make new ZEV infrastructure investments in reporting capacity and capability.

We also believe that payment categories for reporting of session initiations could lead to confusion. For instance, debit cards are not included in the list, and could be treated by some reporters as "other methods of payment," and treated by others as falling into the "credit card" category. Additionally, if a user initiates a session by providing credit card information via a toll free number, it is unclear whether this session should count towards both the "credit card" and "toll free number" categories. We encourage CARB to provide additional guidance on how sessions should be categorized to avoid confusion.

## 3. Exemption for EV Charging Provided by a Producer of Electric Vehicles as a Service

The text of S.B. 454 states that a publicly available parking space covered by these regulations shall not include "a parking space provided by a producer of electric vehicles as a service." However, the proposed regulation exempts "an EVSE provided manufacturer of electric vehicles for the exclusive use by vehicles it manufactures." The addition of the "exclusive use" requirement deviates from statutory language, excluding manufacturers that provide charging as a service to vehicles other than their own. Electrify America recommends that CARB modify this provision to reflect the statutory language.

Electrify America appreciates the opportunity to comment and looks forward to continuing to work with CARB, other charging providers, and EV drivers, to build a robust, easily accessible public charging network for electric vehicles.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matthew B. Nelson'.

Matthew B. Nelson  
Director of Government Affairs  
Electrify America, LLC