



September 19, 2019

California Air Resources Board  
1001 I St.  
Sacramento, CA 95814

*Submitted via online comment log portal for EVSE2019*

**Re: Electric Vehicle Supply Equipment Standards, Modifications to the Proposed Regulation Order**

The California Electric Transportation Coalition (CalEETC) and Liberty Utilities appreciate the opportunity to provide feedback to the California Air Resources Board (CARB) on the Modifications to the Proposed Regulation Order for the Electric Vehicle Supply Equipment (EVSE) Standards, proposed regulations that are in response to and under authority of SB 454 (Corbett) [Chapter 418, Statutes of 2013], the Electric Vehicle Charging Stations Open Access Act.

CalEETC supports and advocates for the transition to a zero-emission transportation future as a means to spur economic growth, fuel diversity and energy independence, ensure clean air, and combat climate change. CalEETC is a non-profit association committed to the successful introduction and large-scale deployment of all forms of electric transportation. Our board of directors includes: Los Angeles Department of Water and Power, Pacific Gas and Electric, Sacramento Municipal Utility District, San Diego Gas and Electric, Southern California Edison, and the Southern California Public Power Authority. Our membership also includes major automakers, manufacturers of zero-emission trucks and buses, charging station providers, and other industry leaders supporting transportation electrification. We note that in addition to CalEETC's membership, Liberty Utilities in California is also aligned with the content of this letter.

California has goals to deploy 1.5 million zero-emission vehicles (ZEVs) and 250,000 EV charging stations, including 10,000 DC fast chargers, by 2025.<sup>1</sup> California also has a goal of deploying 5 million zero-emission vehicles by 2030,<sup>2</sup> which will require even further scale-up of the charging infrastructure for electric vehicles. The state currently has slightly over 16,589 public L2 charging connectors, and slightly over 1,802 public direct current fast charging connectors.<sup>3</sup> We have a long way to go, within a short period of time, to meet California's zero-emission vehicle and fueling goals, as well as the air-quality and climate-change targets underpinning these goals. In order to drive adoption of plug-in electric vehicles

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<sup>1</sup> Former Governor Edmund G. Brown Jr. Executive Order B-16-2012 set the goal of placing 1.5 million zero-emission vehicles on California's roads by 2025. Former Governor Edmund G. Brown's Executive Order B-48-18 set the goal of 250,000 electric vehicle charging stations, including 10,000 DCFC charging stations, by 2025. In addition, the Charge Ahead California Initiative, [SB 1275 (De León), Chapter 530, Statutes of 2014] set the goal of placing 1 million zero- and near-zero-emission vehicles into service on California's roads by 2023.

<sup>2</sup> Former Governor Edmund G. Brown Jr. Executive Order B-48-18 set the goal of 5 million zero-emission vehicles on California's roads by 2030.

<sup>3</sup> Data from [www.afdc.energy.gov](http://www.afdc.energy.gov). Accessed on September 12, 2019. This represents 631 public DCFC stations and 4,308 public L2 stations. Connector and station count does not include Tesla-only stations.

and meet these targets, we need to drastically increase the amount of publicly accessible, easy-to-use charging stations.

CalETC shares CARB's goals of achieving straightforward, simple access to charging stations for electric vehicle drivers, and we share CARB's goals of achieving broader access to electric vehicles by disadvantaged and low-income communities. For these reasons, CalETC appreciates the majority of the modifications made to the proposed regulations and offers the following feedback:

**I. CalETC supports the amendments made to the compliance timelines for the payment-option requirements of existing Level 2 and direct current (DC) fast charging stations.**

The State of California, utilities, and other entities have spent millions of dollars putting in the current network of charging stations and the state must drastically increase the amount of publicly accessible charging stations to meet its ZEV, air quality and climate change targets. Spending public, ratepayer, or other limited funds to replace or retrofit existing stations in the near-term before the end of the useful life of these stations, instead of on installing new stations, would hinder the state's ability to achieve these targets. For these reasons, we support the revisions made to the compliance timelines for Level 2 and DC fast charging stations.

**II. CARB must ensure that the definition of replaced, now included in the regulations, is implemented to achieve the intent of requiring replacement of the charging station with a compliant station only upon actual replacement of, or substantial modification to, the unit.**

"Replaced" is now defined in the proposed regulations as meaning "that the EVSE has been substantially modified or substituted with another unit, as indicated by a change in the serial number, EVSE ID, or the model name of the EVSE." In the spirit of keeping the state's existing charging stations up and running for their useful lives, we encourage CARB to allow charging station providers to use whichever indicator is appropriate to identify replacement or substantial modification for their company. Charging station providers may not all use the same indicator and should be able to identify which is the proper trigger to signify replacement or substantial modification.

**III. CalETC supports the revised deadline by which newly installed DC fast charging stations must comply with the payment requirements of the proposed regulations.**

The modified proposal requires a DC fast charging station installed on or after January 1, 2022 to comply with the payment requirements. The prior regulatory language would have required a DC fast charging station installed on or after July 1, 2020 to comply with the payment requirements. The July 1, 2020 deadline was insufficient for manufacturers to develop new product lines to meet the new regulations, particularly the payment option requirements. Extending the date by which DC fast charging stations must comply also provides more time for administrators of funding programs—such as state, local, and utility programs—to update program eligibility criteria for funding-eligible stations.

**IV. CalETC supports CARB's efforts to clarify and streamline the reporting requirements. However, the current data reporting requirements should be limited to publicly available charging stations.**

For example, in the proposed regulations, section 2360.4, subdivision (k)(4)(D) "access type," the regulations require reporting on how a user accesses the station, including examples that do not fit within the definition of public access. Given that the regulations are intended to apply to publicly accessible stations as stated in section 2360, subdivision (a), the requirements for access type related to the site being private - government only, private – residential, and private, should be struck. The regulations do not apply to fully private stations, and therefore their inclusion should be struck.

CalETC also provides the following recommendations regarding tracking success and potential impacts of the proposed regulations:

**I. CalETC recommends CARB evaluate the regulations at designated intervals after implementation begins to ensure the regulations are not hindering the charging-station or ZEV market and are achieving the intended benefits.**

Charging station payment data and monitoring of charging station market impacts and benefits should be used to refine the regulation, as urged by Board Member Berg and agreed-upon by the Board during the June 2019 hearing on the proposed regulations. CalETC requests that CARB use the data reported as required by the proposed regulations and conduct additional surveys or studies, as appropriate, to track the success and/or impacts of the regulations. The regulations should be revised if, for example, contactless credit/payment cards<sup>4</sup> (tap to pay cards) become the predominant method of payment instead of via chip, or if roaming agreements for charging payment are developed and broadly available for customer usage. Modifications should be made to any section that becomes out of date or that is shown to hinder the state's ability to meet its ZEV goals. Re-evaluation of the regulations should include examination of future new technologies to ensure the best possible solution at the lowest cost to the consumer.

The regulations should be evaluated after implementation begins to ensure the regulations are achieving the intended benefits of broader consumer access to charging stations for the next wave of electric vehicle drivers, including low-income drivers and drivers in disadvantaged communities. Additionally, CARB should evaluate the proposed regulations to ensure they will not deter innovative and emerging charging-station technologies or payment opportunities, or conversion of free, non-networked charging stations to payment stations via parking apps, such as ParkMobile. Finally, CARB should monitor the effects of the regulations on charging stations available or occasionally available for public usage at workplaces and multi-unit dwellings. If these locations no longer allow the public to use their charging

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<sup>4</sup> Payment card indicates a credit card, debit card, or pre-paid card that can be used on any station, but not a card specific to a charging network. To ensure the regulations achieve the intended benefits for disadvantaged and low-income communities, CARB may find through analyzing the effectiveness of the regulations that the requirements should be updated to use the term payment card instead of credit card. This way, charging sessions could be paid for via credit card, debit card, or pre-paid card, if credit card access is found not to increase access to charging stations for all Californians.

stations, then we are limiting the amount of publicly available chargers in the state, which will harm electric vehicle drivers and undermine achievement of the state's ZEV targets.

- II. **CalETC recommends that CARB staff, in including the Open Charge Point Interface (OCPI) standard, consider version updates and whether the standard remains open and royalty free.**

CalETC recognizes the value of adopting interoperability billing standards for network roaming payment methods for charging stations, and suggests CARB staff consider version updates and accessibility of use of the OCPI standard. Specifically, if OCPI becomes private intellectual property and a royalty is associated with it, that could have a negative impact on the ability of charging station companies to utilize the standard. Should OCPI no longer be an open standard and royalty free, we would recommend CARB reconsider its inclusion in the regulations.

- III. **Lastly, CalETC recommends CARB staff work with interested stakeholders to develop guidance that clarifies certain requirements of the proposed regulations, such as the reporting requirements.**

For example, more clarity is needed on how non-networked public charging stations that are free or require payment, and sites that use payment kiosks, must report pursuant to the proposed regulation.

CalETC thanks CARB staff for their commitment to involve stakeholders in this process and we look forward to continuing to coordinate with staff as the regulations are adopted and implemented.

Thank you for your consideration of our comments. Please do not hesitate to contact me if you have any questions via phone at (916) 551-1943 or via email at [hannah@caletc.com](mailto:hannah@caletc.com).

Sincerely,

A handwritten signature in blue ink that reads "Hannah Goldsmith". The signature is fluid and cursive, with the first name being more prominent.

Hannah Goldsmith  
Deputy Executive Director  
California Electric Transportation Coalition