



September 19, 2019

Ms. Elise Keddle  
Ms. Stephanie Palmer  
California Air Resources Board  
1001 I St.  
Sacramento, CA 95814

Re: Modified Text (15-Day Notice) Regarding Electric Vehicle Supply Equipment Standards

Dear Ms. Keddle and Ms. Palmer:

Tesla, Inc. (Tesla) appreciates the opportunity to provide feedback on the modified Electric Vehicle Supply Equipment (EVSE) standards that were released by staff of the California Air Resources Board (CARB) on September 4, 2019 per guidance provided during the June 27, 2019 CARB Board hearing. Staff's leadership in developing and refining the EVSE open access standards has been important and Tesla appreciates the continued consideration of our previous comments submitted in May 2019 regarding maintaining payment mechanism flexibility. Notwithstanding the concerns expressed in previous comments, several of which have been addressed via the modified text, Tesla's comments focus on two outstanding items. The first is a periodic review of the proposed regulation based on pre-established timelines, and second, clarification of the term "replaced."

**I. A clear process for periodic review of the requirements in the regulation should be established per direction by CARB Board Members.**

During the CARB Board hearing on this proposed regulation, there was a discussion regarding a periodic opportunity to review the regulation based on technological advancements of payment technologies. Tesla supports the periodic review of the specific payment technologies available to consumers and how widely available they have become. Innovation in customer payment technology is needed to provide a more seamless charging experience over time. In general, any point-of-sale payment method requirement should provide the flexibility for companies to meet the evolving needs of consumers, which is moving toward mobile payments or within the vehicle.

Therefore, Tesla recommends commencing an annual technology review process in July 2020, but no later than January 1, 2021, well in advance of the 2022 and 2023 compliance timelines for new EVSE. While some level of standardization may be needed in the payment methods for EV charging stations, it should not indefinitely lock the market or consumers into one



Tesla, Inc.  
3500 Deer Creek Road, Palo Alto, CA 94304  
p +650 681 5100 f +650 681 5101

particular technology that may be more-costly to maintain over time. Rather, flexibility should be maintained to the greatest extent possible to enable multiple payment options and a seamless customer experience for all consumers.

**II. The term “replaced” should be further clarified to ensure the phase in for existing stations reflects the useful life of the system.**

Tesla appreciates staff’s consideration of previous stakeholder feedback and incorporation of a 10-year compliance timeline for existing EVSE, which is more consistent with the average useful life of EVSEs. Beyond the timeline trigger, replacement of the EVSE serves as another trigger for bringing stations under compliance of the regulation. In the modified text it states that “replaced” means “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.”<sup>1</sup>

While it makes sense to define replacement based on a substantial modification to an existing unit, using a change in serial number, EVSE ID or model name as the primary indicator for such replacement could be challenging. The EVSE ID or serial number may change without being tied to a major retrofit of the unit. To ensure that the replacement of an EVSE remains an effective trigger for compliance with the payment methods, it should be clarified that simply changing the EVSE ID or serial number or making modifications such as swapping a charging cable or repairing equipment components, does not constitute a sufficient trigger on its own for having to meet the payment methods requirement for an existing unit that is still well within the phase in timeline. If an electric vehicle service provider (EVSP) changes the EVSE ID or serial number for a publicly available EVSE without a significant retrofit, the EVSP should provide CARB with an explanation for doing so in its annual EVSE inventory report.

\*\*\*

Tesla thanks CARB staff for its leadership in developing the proposed regulation and looks forward to continuing to work with staff on the implementation aspects discussed above.

Sincerely,

Francesca Wahl  
Sr. Policy Advisor  
[fwahl@tesla.com](mailto:fwahl@tesla.com)  
650-435-0422

---

<sup>1</sup> 15-day modified text, p.A-3.