October 26, 2018

Mr. Mark Williams, Mailstop 3E
California Air Resources Board
P.O. Box 2815
Sacramento, California 95812

Re: Electrify America's Cycle 2 ZEV Investment Plan

We greatly appreciate the opportunity to provide further comment on Electrify America's ("EA") forthcoming Cycle 2 California ZEV Investment Plan ("Investment Plan"), covering the period July 2019 through to the end of December 2021.

We appreciate the progress that Electrify America's (EA) has made on social equity as reflected within its Cycle 2 plan relative to its Cycle 1 plan. We support and encourage further progress on this in the Cycle 2 plan and express our partial (not full) support pending improvements that can maximize social equity outcomes as recommended in the separate comments letter submitted by our colleagues from the Greenlining Institute. However, we wish to express a more nuanced perspective with regards to the mention of the role of TNCs in our colleagues' comments.

> We also support and recognize that there is a role for shared mobility in transportation systems. We also do not support the Metro Community Charging investment being specifically designed to support TNCs (i.e. Uber, Lyft, etc.) if they are commercial/for-profit TNCs, with certain exceptions as listed below. As noted by our colleagues at Greenlining, commercial/for-profit TNCs have market value and appear to leverage their own resources to ensure their drivers are driving clean. We are also aware of the growing body of research that indicates that TNCs can hurt public transit, encourage sprawl, provide abusive employment, and racially discriminate in their service. We agree that if these impacts are not addressed, commercial/for-profit TNCs can exacerbate inequality. We further agree that commercial/for-profit TNCs should first be required to leverage their own resources if they want to electrify their services, and that EA's ZEV investment should not be "specifically designed" to support commercial/for-profit TNCs. Rather, we consider it important that community-based or non-profit TNCs: 1) operating with a sustainable business plan; 2) that work as part of a larger transportation network serving disadvantaged and low income communities; 3) that seek to improve the efficiency of transit, especially in rural areas; and, 4) that are also part of a smart-growth/green cities strategy, should receive priority for

funding. Only after that should commercial/for-profit TNCs, meeting the same criteria, be eligible for funding as long as they do not undermine or compromise the local or regional transit service operating in their area.

We applaud the fact that EA will strive to ensure that 35% of the investments in California will be made in low-income or disadvantaged communities and use these communities as one criterion for site selection. We wish to highlight that the California legislature considers 35% to be a floor and not a ceiling for investments.

EA conducted a review of the status of hydrogen fueling and fuel cell electric vehicles (FCEVs) in California and, given the recent rejection of the $72 million in funding that was in the Governor's budget for 2018-2019, might have prematurely determined that there is sufficient state funding to meet the needs of a developing market for FCEVs through 2025. We urge EA to revisit the investment opportunities in this market space not only as they relate to LDVs but also with respect to the exciting developments in the application of fuel cells in medium and heavy duty transport.

We would also continue to encourage EA to contemplate allowing for coalitions of small cities (not just the large metropolitan centers) to work together to compete for future "Green City" funds outside of the funding being directed to implementation in Sacramento.[1]

EA's ZEV investments in California are a consequence of VW's illegal actions which most directly impacted people of low-income and color. Therefore, EA's ZEV investments should reflect these harms and maximize the benefits that can be delivered to those impacted communities. We greatly appreciate EA and its representatives' efforts to proactively meet and discuss the issues with us and other stakeholders at CEERT's offices. We ask that the Cycle 2 investment plan be adopted once EA has taken into consideration the concerns outlined above and also maximized social equity outcomes as recommended in the separate comments letter submitted by our colleagues from the Greenlining Institute.

Sincerely,

Rey León
Founder/Executive Director
The Latino Equity Advocacy & Policy (LEAP) Institute

John Shears
Research Coordinator
The Center for Energy Efficiency & Renewable Technologies

[1] cf. San Joaquin Valley Mayors comments on Public Version of VolksWagen's California ZEV Investment Plan: Cycle 1. April , 2017.