

February 20, 2024

Liane Randolph, Chair  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

**RE: Amendments to the LCFS Program**

Chair Randolph:

On behalf of the California Transit Association, I write to you today to voice our support for the Low Carbon Fuel Standard (LCFS) amendments package released by the California Air Resources Board (CARB) on December 19, 2023 and to elevate the specific, but currently unaddressed, priorities of our transit and rail agency members. The Association represents over 230 member organizations from across California's transit industry, which includes 85 transit and rail agencies in the state.

Through our work to advance the implementation of the Innovative Clean Transit and In-Use Locomotive regulations and our steadfast support for federal and state investments in zero-emission transit vehicles across modes, the Association and our members have been consistent partners with CARB in promoting and accelerating the deployment of zero-emission vehicle (ZEV) technologies in public transportation applications. In an era of significant financial constraints at state and local levels, we view the LCFS program as a vital incentive for encouraging transit and rail agencies to take early and expansive actions to further clean their fleets and as a critical funding source for offsetting the persistently high costs of zero-emission operations. We thank CARB for its efforts to continuously improve this program to the benefit of program participants and formally request a series of changes to the amendments package as it moves forward. Additionally, we request that CARB continue to review options to further support transit and rail agencies that participate in the LCFS program. The specific changes we request would address current disparities in credit generation between pre-2011 fixed guideway systems and post-2010 fixed guideway systems, administrative challenges related to registration and reporting of electricity usage from the fuel service equipment (FSE), and the scope of reporting of electricity usage.

Disparities in Credit Generation

The LCFS program currently affords pre-2011 fixed guideway systems fewer credits

for their electricity usage than post-2010 fixed guideway systems due to disparities in CARB's Energy Economy Ratio. We understand that this current disparity reflects modeling performed by CARB at the beginning of the LCFS program, which established a baseline that treated all rail in place at that time as existing, and rail constructed after as new. CARB posited then that new rail would reduce significantly more VMT than existing rail. We believe this distinction and justification is arbitrary and does not reflect the reality that rail – no matter when it was constructed – significantly reduces VMT and that the level of VMT reduction at any one point in time or segment of service may vary depending on a series of exogenous factors.

With rail agencies facing operations funding shortfalls and higher expenses, the Association implores CARB to increase the level of credit generation for pre-2011 fixed guideway systems to bring it into alignment with post-2010 fixed guideway systems. The additional credits generated from this change will be vital as rail agencies work to continue to provide service with diminished local funding sources.

### Administrative Challenges in Reporting

The LCFS program currently requires non-residential EV charging industries and agencies generating credits from grid electricity to report the quantity of electricity (in kWh) from the FSE, or electric charger.

As an Association, we are concerned with the administrative constraints associated with registering and reporting from each individual FSE. Several transit agencies have designed for an overhead charging system that will implement power cabinets (power source), and depot pantographs (dispenser to conductively charge on top of buses). The overhead charging design is a 3-to-1 ratio (3 pantographs to 1 power cabinet or 3 buses connected to 1 charger). With this, we have concerns about how data will be reported from this type of design, and the need to register and report from each individual charger (power cabinet) and/or pantograph (dispenser). To manage this type of overhead charging system, several transit agencies are also planning to implement a charge management system (CMS) software to efficiently manage charging cycles optimally for getting buses ready for service each day and at its most cost effective. These CMS platforms are still in their infancy stages, with most vendors being third-party to charger manufacturers. It is currently unknown how a third-party vendor's CMS platform will manage multiple charger manufacturers (interoperability) data components and if proprietary parameters will impact data communication when exporting this data. At this time, to maximize credits using time-of-use energy consumption, our members would need to report from the meter/utility bill.

### Loss of Credit (Energy Loss/Line Loss)

Since January 2022, several transit agencies have experienced an overall loss of energy or line loss from what's reported at the meters to what's been reported at the FSEs. At full deployment, this loss can equate to hundreds of thousands of dollars in credit loss per quarter and millions of dollars in credit loss annually. Reporting with an energy loss or line loss (consumption in kWh) also doesn't accurately reflect the well-to-wheel GHG analysis

for running a battery electric bus in-service.

In closing, we greatly value our partnership with CARB in advancing the deployment of zero-emission vehicle technologies. We thank you for your consideration of our requested changes to the LCFS program.

If you have any questions, please feel free to contact me at (916) 446-4656 or [michael@caltransit.org](mailto:michael@caltransit.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Pimentel".

Michael Pimentel  
Executive Director