

- a. the volume and average carbon intensity of the transferred fuel; and
 - b. the recipient is now the regulated party for the acquired fuel and accordingly is responsible for meeting the requirements of the LCFS regulation with respect to the acquired fuel.
- (6) *Regulated Parties for Electricity.* For electricity used as a transportation fuel, the party who is eligible to opt-in as a regulated party is determined as specified below:

(A) For transportation fuel supplied through electric vehicle (EV) charging equipment in a single or multi-family residence, the Electrical Distribution Utility is eligible to opt-in as the regulated party in their service territory. To receive credit for electricity supplied as a transportation fuel, the Electrical Distribution Utility must:

- 1. Use all credit proceeds as direct benefits for current EV customers.
- 2. Educate the public on the benefits of EV transportation (including environmental benefits and costs of EV charging as compared to gasoline). These efforts may include, but are not limited to:
 - a. public meetings
 - b. EV dealership flyers
 - c. utility customer bill inserts
 - d. radio and/or television advertisements
 - e. webpage content
- 3. Provide rate options that encourage off-peak charging and minimize adverse impacts to the electrical grid.
- 4. Include in annual compliance reporting an itemized summary of efforts to meet requirements 1 through 3 above; costs associated with meeting the requirements; an accounting of credits generated, sold, and banked; and an accounting of the number of EV s known to be operating in the service territory. ARB will post the annual compliance reports for public review by May 31st of each year.

(B) For transportation fuel supplied through public access EV charging equipment, the third-party non-utility Electric Vehicle Service

Provider (EVSP) or Electrical Distribution Utility that has installed the equipment, or had an agent install the equipment, and who has a contract with the property owner or lessee where the equipment is located to maintain or otherwise service the charging equipment, is eligible to opt-in as the regulated party.

If the EVSP is not the regulated party for a specific volume of fuel, or has not fully complied with the requirements of this subarticle, the Electrical Distribution Utility is eligible to opt-in as the regulated party with EO approval. To receive credit for transportation fuel supplied through public access EV charging equipment, the regulated party must:

1. Use all credit proceeds as direct benefits for current EV customers.
2. Educate the public on the benefits of EV transportation (including environmental benefits and costs of EV charging as compared to gasoline). These efforts may include, but are not limited to:
 - a. public meetings
 - b. EV dealership flyers
 - c. utility customer bill inserts
 - d. radio and/or television advertisements
 - e. webpage content
3. Provide rate options that encourage off-peak charging and minimize adverse impacts to the electrical grid.
4. Include in annual compliance reporting an itemized summary of efforts to meet requirements 1 through 3 above; costs associated with meeting the requirements; an accounting of credits generated, sold, and banked; and an accounting of the number of operating EV charging stations and the number of charging incidents. ARB will post the annual compliance reports for public review by May 31st of each year.

(C) For transportation fuel supplied to a fleet of three or more EVs, a company operating a fleet (fleet operator) is eligible to be a regulated party. If the fleet operator is not the regulated party for a specific volume of fuel, or has not otherwise fully complied with the requirements of this subarticle, the Electrical Distribution Utility is eligible to opt-in as the regulated party with EO approval. For transportation fuel supplied to a fleet of less than three EVs, the

Electrical Distribution Utility is eligible to be the regulated party. To receive credit for transportation fuel supplied to an EV fleet, the regulated party must include in annual compliance reporting an accounting of the number of EVs in the fleet.

(D) For transportation fuel supplied through private access EV charging equipment at a business or workplace, the business owner is eligible to be a regulated party. If the business owner is not the regulated party for a specific volume of fuel, or has not fully complied with the requirements of this subarticle, the Electrical Distribution Utility is eligible to opt-in as the regulated party with EO approval. To receive credit for transportation fuel supplied through private access EV charging equipment at a business or workplace, the regulated party must:

1. Educate employees on the benefits of EV transportation (including environmental benefits and costs of EV charging as compared to gasoline) through outreach efforts that may include, but are not limited to:

- a. employee meetings
- b. public meetings
- c. EV dealership flyers
- d. employee flyers
- e. webpage content
- f. preferred parking

2. Include in annual compliance reporting a summary of efforts to meet requirement 1, as well as an accounting of the number of EVs known to be charging at the business.

(E) In the event that there is measured on-road electricity as a transportation fuel that is not covered in paragraphs (B) through (D) above, the Electrical Distribution Utility is eligible to opt-in as the regulated party with EO approval. To receive credit for this transportation fuel, the Electrical Distribution Utility must meet all requirements set forth in section 95484(a)(6)(A).

~~(A) The load serving entity or other provider of electricity services, unless section 95484(a)(6)(B), (C), or (D) below applies. "Load-serving entity" has the same meaning specified in Public Utilities Code (PUC) section 380. "Provider of electricity services" means a local publicly owned utility, retail seller (as defined in PUC section 399.12(g)), or any other person that supplies electricity to the vehicle charging equipment;~~

- ~~(B) The electricity services supplier, where "electricity services supplier" means any person or entity that provides bundled charging infrastructure and other electric transportation services and provides access to vehicle charging under contract with the vehicle owner or operator;~~
- ~~(C) The owner and operator of the electric charging equipment, provided there is a contract between the charging equipment owner operator and the provider of electricity services specifying that the charging equipment owner operator is the regulated party;~~
- ~~(D) The owner of a home with electric vehicle charging equipment, provided there is a contract between the homeowner and provider of electricity services specifying that the homeowner may acquire credits.~~

(7) *Regulated Parties for Hydrogen Or A Hydrogen Blend.*

(A) *Designation of Regulated Party at Time Finished Fuel is Created.*

For a volume of finished fuel consisting of hydrogen or a blend of hydrogen and another fuel ("finished hydrogen fuel"), the regulated party is initially the person who owns the finished hydrogen fuel at the time the blendstocks are blended to make the finished hydrogen fuel.

(B) *Transfer of Ownership and Retaining Compliance Obligation.*
Except as provided for in section 95484(a)(7)(C), when a person who is the regulated party transfers ownership of a finished hydrogen fuel to another person, the transferor remains the regulated party.

(C) *Conditions Under Which a Person Acquiring Ownership of Finished Hydrogen Fuel Becomes the Regulated Party.* Section 95484(a)(7)(B) notwithstanding, a person who acquires ownership of finished hydrogen fuel becomes the regulated party for the fuel if, by the time ownership is transferred, the two parties (transferor and recipient) agree by written contract that the person acquiring ownership accepts the LCFS compliance obligation as the regulated party. For the transfer of regulated party obligations to be effective, the transferor must also provide the recipient a product transfer document that prominently states:

1. the volume and average carbon intensity of the transferred finished hydrogen fuel; and