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Plug In America Comments on Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data

Please see the attached document. Thank you.

Additional submitted attachment is included below.



August 11, 2025

Mr. Dustin Schell, Air Resources Engineer
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814
Docket #: 22-EVI-04

Re: Regulations for Improved Electric Vehicle Charging Port Recordkeeping and Reporting, Reliability and Data Sharing

Dear Mr. Schell,

Thank you for the opportunity to provide comments on the California Energy Commission's (CEC) Regulations for Improved Electric Vehicle Charging Port Recordkeeping and Reporting, Reliability and Data Sharing. We appreciate the CEC's comprehensive efforts to develop regulations that will provide California with the data and tools needed to improve the charging experience for electric vehicle (EV) drivers and enable further adoption of EVs across the state.

Plug In America is a nonprofit organization with a mission to accelerate the transition to affordable and accessible plug-in vehicles and charging through education, advocacy, and research. We represent EV drivers across the country and leverage their real-world insights to achieve seamless, accessible, and reliable EV user experiences. We have been active participants in the development process for these regulations to ensure that the EV driver experience remains centered in the final regulations. We appreciate the CEC's continued focus on the consumer perspective, both in California's immediate and longer-term future. We encourage the swift implementation of the regulations when they are finalized to improve the EV driver experience.

We conduct regular surveys of current and prospective EV drivers to better understand their perspectives and experiences. Since the second draft version of these regulations was released in 2024, Plug In America has conducted two significant relevant surveys, including our 2025 Annual EV Driver Survey¹ and an updated survey focused on the public charging experience, for which a full report will be publicly available soon.

Overall, from our annual survey, we find that California EV drivers are very satisfied with their electric vehicles, with 93.5% of EV drivers saying that it is likely or very likely their next vehicle will be an EV. While our annual survey finds that concerns around public charging still exist nationwide, it appears that the public charging experience has seen an improvement since last year. Still, around 35% of respondents nationwide said they are currently concerned about public charging availability and reliability, leaving room for improvement with charging reliability.

¹ 2025 EV Driver Survey, Plug In America, <https://pluginamerica.org/survey/2025-ev-driver-survey/>.

Specifically for California EV drivers, our results demonstrate a slight *increase* in concern about public charging reliability and a slight *decrease* in concern regarding public charging availability. This further amplifies the case for the swift implementation of the CEC's EV charging regulations to improve the charging experience as California's EV market continues to grow and ensure California is prepared with the appropriate amount of reliable charging infrastructure.

We are pleased to see this proposed regulation and offer the following reflections and recommendations for the CEC's consideration:

- **Reasonable applicability based on charger type:** We support the definition of “publicly or ratepayer funded” charger and the exclusion of residential properties with four or fewer dwellings. Also, in our comments on the second draft proposal from 2024, we asked for an explicit exclusion of Level 1 chargers from the entirety of the regulation, and we thank the CEC for its responsiveness to that recommendation. We emphasize the importance of functional chargers, especially at multi-family housing properties, given the higher volume of drivers that utilize the chargers, and that charging at home is by far the preferred charging experience for EV drivers.²
- **Helpful inventory reporting requirements:** We support the proposed inventory reporting requirements to ensure California has the information it needs to assess and deploy the needed number and type of chargers across the state to meet state goals.
- **Support 97% uptime and NEVI alignment:** Plug In America strongly supports the 97% uptime metric and the per-port definition of uptime consistent with the National Electric Vehicle Infrastructure (NEVI) minimum requirements³. Additionally, we appreciate the CEC's intention to keep excluded downtime to events outside of the charging station operators' control, including vandalism and grid outages. Further, we support the exclusion of planned maintenance as defined in the regulations to ensure the ongoing functionality of chargers and that the regulations are not a barrier to necessary maintenance.
- **Reintroduce the successful charge attempt rate (SCAR) or similar metric:** We appreciated the CEC's proposal in the second draft from 2024 for a 90% successful charge attempt rate. We believe that this type of metric further demonstrates the CEC's focus on the driver experience. We believe that the SCAR or a similar metric can help identify issues for the driver that are not reflected by uptime metrics, like failed charging attempts due to payment issues or other interoperability issues. The driver experience is improved when drivers can pull up to any charger and have a successful, seamless charging experience on the first attempt. We believe that additional attempts or effort in identifying a working charger at a station can increase negative perceptions of the charging experience. We encourage the CEC to reference the metrics generated by the

² The Home Charging Experience, Plug In America, <https://pluginamerica.org/wp-content/uploads/2024/01/2023.12-Q4-Quarterly-Survey-Home-Charging.pdf>.

³ National Electric Vehicle Infrastructure Standards and Requirements, Federal Highway Administration, <https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements>.

ChargeX Consortium, a collaboration between EV industry stakeholders and consumer advocates to measure and improve public charging reliability.⁴

- **Ensure reporting mechanisms for EV drivers are accessible and easy to use:** As expressed in our comments regarding the second draft proposed regulations released in 2024, we strongly support the CEC's proposal to require a mechanism to allow EV charging customers to report outages, malfunctions, and other infrastructure-related issues. We reiterate that we understand that networks and site hosts may not know when a charger is down due to a variety of reasons that may be out of their control. Consumers may be the first to identify an issue with a charger. We encourage the CEC to ensure that reporting mechanisms are accessible and easily used. We encourage the CEC to consider specifying eligible mechanisms, such as app-based reporting, SMS, and a toll-free number.
- **Data-sharing can enable improved driver experience:** Plug In America supports the data-sharing requirements to increase driver understanding of functional and available charging ports without having to rely on multiple apps or user-reported information on PlugShare or mapping apps. We further support the CEC's intention to "inform customers about charging station availability, accessibility, price to charge, and any applicable roaming fees." Based on a study conducted by California Integrated Travel Project (Cal-ITP), there is a significant variety in how different networks communicate pricing for EV charging, which makes it challenging for EV drivers to make informed financial decisions about when and where they charge.⁵ Increased transparency can help improve the driver experience and more closely match the user experience with gas fueling infrastructure.

Thank you again for the opportunity to provide feedback and for your consideration of these comments. Please do not hesitate to reach out to Alexia Melendez Martineau, Senior Policy Manager, Plug In America, at amartineau@pluginamerica.org with any questions or for further discussion.

Sincerely,

Joel Levin
Executive Director, Plug In America

⁴ Implementation Guide of Customer-Focused Key Performance Indicators for Electric Vehicle Charging, ChargeX Consortium, https://inl.gov/content/uploads/2024/03/ChargeX-report_KPI-Implementation-Guide_Dec2024.pdf.

⁵ Cal-ITP, EV Payments Transparency, December 2024, <https://resources.calitp.org/calitp/Cal-ITP.EV.Payments.Transparency.Report.December.2024.pdf>.