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Rivian Comments - EV Charging Infrastructure Reliability Proposed Rule

Additional submitted attachment is included below.



August 12, 2025

California Energy Commission
Docket Unit, MS-4
Docket No. 22-EVI-04
715 P Street
Sacramento, California 95814

**RE: Docket 22-EVI-04 and Electric Vehicle Charging Infrastructure Reliability -
Comments In Response to Rulemaking to Establish Regulations for Improved EV
Charger Recordkeeping and Reporting, Reliability, and Data Sharing**

Dear California Energy Commissioners and Staff,

Rivian appreciates the opportunity to comment on the California Energy Commission's rulemaking to *Establish Regulations for Improved EV Charger Recordkeeping and Reporting, Reliability, and Data Sharing*. We support the Commission's efforts to strengthen the reliability of publicly funded and publicly available charging infrastructure deployed in California as it is critical to encourage the continued growth of transportation electrification in the state and nationwide. Access to reliable charging infrastructure will play a critical role in building confidence in the availability of public charging, encouraging EV adoption across the full range of consumers and businesses while driving down emissions.

Keeping the World Adventurous Forever

Founded in 2009, Rivian is an independent U.S. company headquartered in Irvine, California, with all Rivian vehicles manufactured in the US. With over 14,000 employees across the globe, Rivian's focus is the design, development, manufacture, and distribution of electric, zero emissions vehicles, ranging from pickups and full-sized SUVs to commercial vans, to our recently announced R2 and R3 vehicles. It is Rivian's mission to *Keep the World Adventurous Forever* by displacing the highest polluting vehicles on the road today as well as ensuring those vehicles are being powered by clean energy.

In addition to our vehicles, Rivian is also a manufacturer of direct current fast chargers (DCFC) and deploys, owns, and operates those chargers under a nationwide charging network – the Rivian Adventure Network. Since 2022, the network has deployed over 770 DC fast charging ports nationwide at over 120 sites, with 85 of those sites now open to all

EVs, with more coming soon. Rivian's commitment to charging reliability has been demonstrated through the Rivian Adventure Network's high uptime rates of 97%+, achieved via our vertical integration and robust operations and maintenance support.

Specific Feedback on the Proposed Regulation

We appreciate the Commission's attention to industry's feedback throughout the rulemaking process and the refinements made which will enable this regulation to balance the overarching goal of improving charging reliability with implementation realities. We specifically appreciate the following:

- **Focusing the scope of the regulation to publicly or ratepayer funded chargers that are also publicly available and installed after January 1, 2024.** This scope will enable the regulation to apply to the chargers that are the most visible to the public and therefore have an outsized role to play in building the confidence of current and future EV drivers in their access to a reliable charging network. In addition, this scope also limits the cost burden on both the state and the industry from an implementation standpoint by narrowing the number of chargers required to report data.
- **Alignment with existing industry reporting requirements.** A patchwork of reporting requirements across local, state, and federal levels is a significant burden on industry to implement by increasing costs and limiting resources. We appreciate the Commission's attention to this dynamic and the clear alignment with the existing *NEVI Infrastructure Standards and Requirements* regarding uptime reporting and 3rd party API data sharing.¹ Although the proposed inventory reporting requirements include additions to the existing *CARB EVSE Inventory Reporting Requirements*², we find the additions to be reasonable. By aligning with existing requirements, the Commission is supporting the cost effective implementation of the regulation and ensuring industry resources are used the most efficiently to focus on the main goal - maintaining and improving charger reliability.

As the Commission moves to finalize the regulation, we encourage further consideration on the following topics:

¹ § 680.116 (b) & (c)

<https://www.federalregister.gov/documents/2023/02/28/2023-03500/national-electric-vehicle-infrastructure-standards-and-requirements>

² Chapter 8.3. Electric Vehicle Supply Equipment Standards. § 2360.4. Reporting for Electric Vehicle Service Providers. https://ww2.arb.ca.gov/sites/default/files/2020-06/evse_fro_ac.pdf

- **Provide an administrative pathway to allow for case-by-case extensions for excluded downtime.** We appreciate the level of care the Commission had taken in defining the range of causes of downtime and support the currently defined categories. However, when it comes to vandalism and site upgrades in particular, there can be several factors out of a network provider's control that may push them outside of the 5-day cap on vandalism and the annual 72-hour cap for preventative maintenance and upgrades. For example, when upgrading a charging site to add more chargers, even when leveraging existing make-ready infrastructure, utility and permitting delays can push the site to be down well past the 72-hour cap as hardware is upgraded and energized. We support the Commission maintaining the existing timing caps to set a clear standard, but encourage the addition of a pathway to request an extension of excluded downtime (with submission of appropriate documentation) to provide an option for extenuating circumstances.

- **Revise § 3125 (b) to require listed data (1) - (5) to be stored and retained, instead of transmitted via API to the Commission.** It is our understanding that the Commission is interested in receiving the data listed in § 3125 (b) via API in order to independently validate the uptime calculations submitted by charging providers. If this is case, we encourage the Commission to:
 - Further explain the rationale behind requesting the data included in § 3125 (b) via API and why the goal cannot be achieved via other methods of data transmission such as the currently scoped 3rd party API data requirements or other defined OCPI modules. The current requirement to submit OCPP data directly to the Commission within 60 minutes after the record's generation will be a significant new development effort for many charging providers as OCPI modules are typically used for external data transfers, not direct OCPP logs. The additional cost imposed on both the state and charging providers for data storage and analysis for this proposal will be material and requires additional justification.
 - Require the data being requested under § 3125 (b) to be stored and retained, per the option already provided in § 3125 (c) for chargers installed from January 1, 2024 through 179 days after the effective date. The Commission can then request the data for further analysis, if there is reason to do so. This model will save both the state and charging providers cost, an important consideration in the current industry and state budget landscape. Another cost-effective option is to require an annual data dump to the Commission instead of an API.
 - Provide more detail regarding what is expected to be included in the OCPP data fields requested under (4) and (5) of § 3125 (b). Storing and retaining pre-defined specific fields in an OCPP message (i.e. timestamp, message type, etc.) over a specific time frame and interval is a reasonable request,

whereas providing the details of an OCPP (raw message json) has notable data size and processing concerns.

Finally, we see several opportunities in the currently proposed regulation where industry feedback on implementation could be enormously beneficial to informing an efficient and cost-effective deployment of the regulation. Therefore, we encourage the Commission and staff to consider ways for industry to provide feedback on the implementation details, including, but not limited to, the specific forms and processes for data submission. Past data reporting submission requirements by the state have left much room for improvement and as the Commission strives to enable this regulation to have the greatest impact, ensuring the administration of the regulation is streamlined as much as possible will be critical to achieving the ultimate goal.

We welcome additional discussions on our comments above and look forward to working with the Commission to implement an impactful and efficient regulation as the state continues its commitment to the roll out of robust, reliable, and equitable charging infrastructure.

Sincerely,

Kelsey G. Johnson
Senior Lead Policy Advisor - Energy & Charging
Rivian