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Alliance for Automotive Innovation Comments

Please find the attached comments from the Alliance for Automotive Innovation on CEC's Docket 22-EVI-04

Additional submitted attachment is included below.

ALLIANCE FOR AUTOMOTIVE INNOVATION

California Energy Commission
Docket Unit, MS-4
715 P Street Sacramento, California 95814

August 12, 2025

Re: 22-EVI-04: Rulemaking to Establish Regulations for Improved EV Charger Recordkeeping and Reporting, Reliability, and Data Sharing

Dear Commissioners and Staff of the California Energy Commission,

On behalf of the Alliance for Automotive Innovation ("Auto Innovators")[1] we want to thank the California Energy Commission ("CEC") for your work developing the Proposed Regulations for Improved Electric Vehicle (EV) Charger Recordkeeping and Reporting, Reliability, and Data Sharing. We applaud the CEC for its efforts to improve the EV charging experience for drivers in California.

CEC's proposed regulations aim to improve the reliability, reporting, and data sharing of publicly accessible EV chargers to enhance the EV charging experience for drivers. Auto Innovators supports these efforts but recommends adjustments to better reflect real-world customer experiences and reporting practices.

Charger downtime reporting gaps: Current regulations rely on OCPP metrics to define charger downtime, which may not align with the actual user experience since chargers can appear operational but fail to deliver a successful charging session. The proposal requires reporting actual observed downtime from various indicators, but this approach does not fully capture customer realities or encourage prompt issue resolution.

Optionality for OCPI reporting: Using OCPI reporting as an option can enable easier cross-reference with public information. OCPI reduces operational reporting efforts and gives additional context of how the charging session was initiated, which can help the CEC understand how to improve charger reliability.

Refining the Fleet Charger Definition: Updating the Commission's definition of "fleet charger" will better match real fleet operations. The current version is too limited, excluding leased, subcontracted, or partner-registered vehicles common in fleets.

[1] From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers and semiconductor makers – Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy. Active in Washington, D.C. and all 50 states, the association is committed to a cleaner, safer, and smarter personal transportation future. www.autosinnovate.org

Imposing public charging rules on these chargers adds unnecessary work without improving infrastructure.

Exemptions should apply to inventory reporting: Since fleet chargers serve operational needs and not the public, the same exemptions in the regulations should extend to inventory reporting to avoid delays and discourage deployment, ensuring fleets have reliable charging infrastructure.

CHARGER DOWNTIME STATUS REPORTING

Current regulations do not align charger status reporting with what customers experience. The CEC's proposed rules use OCPP metrics to define downtime, but these often do not match the user's perspective—a charger might appear "up" in OCPP but be unusable to drivers.

Although uptime meets NEVI's 97% standard, it does not accurately reflect customer experience; chargers may appear operational but still fail to deliver a successful charging session. Major charge point operators submitted feedback on the Second Draft report, "Tracking and Improving Reliability of California's Electric Vehicle Chargers: Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data Sharing," published on April 9, 2024. Their comments addressed the use of OCPP to report charger uptime.

EVCA[2] indicated that relying only on OCPP logs may not yield an accurate assessment of charger uptime. For instance, dual-port chargers that do not support simultaneous charging will register the second, unused connector as "Unavailable" when the other connector is in use. This status does not indicate a malfunction but reflects that the connector cannot be used during active charging on the other port. With the transition to OCPP 2.0.1, the CEC may encounter challenges distinguishing between maintenance periods (when the charger is "down") and instances where connectors are marked "Unavailable" but remain functional.

EVgo[3] expressed agreement with EVCA, stating that OCPP messages may not precisely verify uptime. Electrify America[4] opposed the requirement for reporting reliability data solely via OCPP 2.0.1 and recommended OCPI as a preferable protocol for connecting charge point operators with networked assets to record uptime and availability data.

[2]CEC Docket 22-EVI-O4 "Electric Vehicle Charging Association (EVCA) Comments on Second Draft Staff Report"; Submitted on 5/15/24
[3] CEC Docket 22-EVI-O4 "EVGO Comments on Second Draft Staff Report" Received from EVGO; Submitted on 5/15/24
[4] CEC Docket 22-EVI-O4 "Electrify America Comments on CEC Reliability" Received from Electrify America; Submitted on 5/15/24

Stakeholders generally agreed that while it is reasonable for regulators to require chargers to be OCPP 2.0.1 *capable* or to adhere to certain data requirements, decisions regarding which protocol version to implement should be left to EVSPs based on business and technical considerations.

Auto Innovators recommends that CEC report on real-world performance, not just OCPP status, and supports using OCPI as an option for CPOs based on business and technical requirements to be more aligned with user experience. OCPP overlooks key issues like repair delays, adds reporting burdens on CPOs, and is challenging to enforce, limiting its effectiveness in improving customer satisfaction.

Refining the Fleet Charger Definition & Applying Exemption to Inventory Reporting

Auto Innovators appreciates the acknowledgement in the CEC's proposed draft regulations that fleet charging differs from public charging. However, the definition in the proposed draft of a "fleet charger" as one that is "solely used to charge electric vehicles registered to the charging station operator" is limiting and will miss how most fleets in the field operate.

Many fleets including those involved in delivery, rental car companies, or trade service providers such as construction contractors will have fleet vehicles integral to their business operations that may be leased, subcontracted or registered to partner entities. Ports charging these vehicles are not available to the public and serve the entity's own operational needs, yet these ports would not be included in the definition as currently drafted and would rather in effect be treated the same as chargers that are used to serve the general driving public.

Requiring these customers to meet those requirements will add administrative burden and cost, with no commensurate improvements in the publicly available charging network. Fleets already have strong financial incentives to keep chargers and vehicles operative for their own benefit. Charger downtime is vehicle downtime and for these customers, deficiencies in charging up vehicles when and where needed means missed routes, missed deliveries, idle employees and drivers, and inefficiently operating facilities with potential breaches in agreements to fulfill obligations.

Auto Innovators proposes the following refinement to the fleet charger definition to address this issue and account for the diverse range of fleet operations and structures in the field:

June 27 Draft Proposed Fleet Charger Definition	A charger that is not publicly available is not installed at a single-family residence or a multifamily dwelling and is solely used to charge electric vehicles registered to the charging station operator.
Recommended Refinement to Fleet Charger Definition	A charger that is not publicly available is not installed at a single-family residence or a multifamily dwelling and is solely used by the charging station operator to charge electric vehicles used for work-related purposes.

Additionally, since these charging ports do not serve the general public, exemptions for fleet chargers in the regulation should also extend to inventory reporting. Requiring additional detailed layers of information for compliance will, for this segment, mean delayed and deterred deployment. For fleets who rely on dedicated charging for their business and work needs, this sends a counterproductive message on infrastructure ease, affordability, and readiness. Including exemptions for fleet chargers is important specifically at a time when fleets need the reassurance that EVs are here and ready to work in a range of commercial settings, and that charging will be up and ready to support to serve their operational needs.

CONCLUSION

Auto Innovators appreciates CEC's work to evaluate and improve EV charging reliability and commends the CEC's focus on a data-driven framework for monitoring and maintaining EV chargers. We look forward to continued collaboration with the CEC on improving the EV charging experience.

Respectfully,

Dan Bowerson
Vice President of Energy & Environment Policy