

<b>DOCKETED</b>	
<b>Docket Number:</b>	22-EVI-04
<b>Project Title:</b>	Electric Vehicle Charging Infrastructure Reliability
<b>TN #:</b>	266037
<b>Document Title:</b>	Questions and Answers - August 13, 2025 Reliability Workshop
<b>Description:</b>	Questions and Answers following August 13, 2025 workshop on Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data Sharing.
<b>Filer:</b>	Spencer Kelley
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	9/17/2025 9:33:05 AM
<b>Docketed Date:</b>	9/17/2025

# **Questions and Answers following August 13, 2025 workshop on Regulations for Improved Electric Vehicle Charger Recordkeeping and Reporting, Reliability, and Data Sharing**

**OAL Z # 2025-0617-03**

**Docket No. 22-EVI-04**

The answers below refer to the revised proposed Regulations for Improved Electric Vehicle ("EV") Charger Recordkeeping and Reporting, Reliability, and Data Sharing published on September 8, 2025 ("September 8, 2025 proposed revised Express Terms"). The proposed Express Terms may be modified by California Energy Commission ("CEC") staff in the future. These answers should not be understood to supersede the proposed Express Terms as described in the Notice of Additional Public Comment Period and Summary of Changes (TN 265912) where they differ.

## **Q1. How often would this reporting requirement be? Is there a timeline already discussed?**

A1. Reporting requirements are discussed in *Section 3123: Semiannual Reporting Requirement* and *3125: Additional Requirements for Networked Publicly or Ratepayer Funded Chargers* of the September 8, 2025 proposed revised Express Terms. Per the September 8, 2025 proposed revised Express Terms, items in Section 3123 must be reported semiannually. Items in Section 3125 must be reported on an ongoing basis through an Application Programming Interface (API).

## **Q2. Can you clarify the definition of a "public or ratepayer funded charger?"**

A2. See Section 3121(42) of the September 8, 2025 proposed revised Express Terms. The definition of "incentive" (Section 3121(25)) was modified in the September 8, 2025 proposed revised Express Terms.

## **Q3. Can you clarify the requirement to share certain data protocol units?**

A3. Protocol data units (PDU) are defined in the Open Charge Point Protocol (OCPP), which is incorporated by reference in *Section 3125: Additional Requirements for*

*Networked Publicly or Ratepayer Funded Chargers* of the September 8, 2025 proposed revised Express Terms. As proposed, publicly or ratepayer funded charging station operators of chargers installed 180 days or later from the regulation's effective date would be required to ensure the chargers are certified in, and use, OCPP 2.0.1 or later and that the charging network provider for the charger transmits certain PDUs to the CEC via API within an hour of the PDUs' generation or receipt by the charging network provider.

**Q4. Can you clarify the entity responsible for meeting the data sharing requirements?**

A4. Data sharing requirements are described in *Section 3130: Data-Sharing Requirements for Networked Publicly or Ratepayer Funded Chargers that are Publicly Available* of the September 8, 2025 proposed revised Express Terms. As proposed, this requirement applies to charging network providers that operate networked publicly or ratepayer funded direct current fast chargers or Level 2 chargers installed in the state of California that are publicly available, following definitions given in Section 3121.

**Q5. Can you clarify the applicability of this proposed regulation?**

A5. This regulation is applicable to the EV charging entities described in *Section 3120: Scope* of the September 8, 2025 proposed revised Express Terms. 3120 (b) and (c) were modified in the September 8, 2025 proposed revised Express Terms to provide clarity on the exemption of Level 1 chargers.

**Q6. Can you clarify the reporting requirements?**

A6. See *Section 3123: Semiannual Reporting Requirement* and *3125: Additional Requirements for Networked Publicly or Ratepayer Funded Chargers* of the September 8, 2025 proposed revised Express Terms.

**Q7. Can you clarify the Level 1 exemption?**

A7. Level 1 chargers, or alternating current chargers that are not Alternating Current (AC) Level 2 chargers (as defined in Section 3121(1)), are exempt from the September 8, 2025 proposed revised Express Terms. 3120 (b) was modified in

the September 8, 2025 proposed revised Express Terms to add clarity to the Level 1 exemption.

**Q8. Can you clarify the definition of an “incentive?”**

A8. See Section 3121(25) of the September 8, 2025 proposed revised Express Terms. The definition of “incentive” was modified in the September 8, 2025 proposed revised Express Terms.

**Q9. Can you clarify how off-road electric equipment and mobile charging are categorized?**

A9. See the definition of “Temporary Charger” in Section 3121(50) of the September 8, 2025 proposed revised Express Terms.

**Q10. Can you clarify the definition of a “fleet charger?”**

A10. See Section 3121(21) of the September 8, 2025 proposed revised Express Terms. The definition of “fleet charger” was modified in the September 8, 2025 proposed revised Express Terms.

**Q11. Can you clarify if chargers at multi-unit dwellings and common-interest developments fall under the scope of this proposed regulation?**

A11. Chargers at multi-unit dwellings and common-interest developments must comply with *Section 3123: Semiannual Reporting* requirement, provided the charger is not a private residential charger as defined in Section 3121(40) of the September 8, 2025 proposed revised Express Terms. Chargers at multi-unit dwellings and common-interest developments must comply with *Section 3123: Semiannual Reporting Requirement* and *Section 3125: Additional Requirements for Networked Publicly or Ratepayer Funded Chargers* if they are a publicly or ratepayer funded charger as defined at Section 3121(42) of the September 8, 2025 proposed revised Express Terms and are a direct current fast charger as defined at Section 3121(14), provided the charger is not a private residential charger as defined in Section 3121(40).

**Q12. How are chargers that are installed for less than one year treated for compliance?**

A12. As proposed in the September 8, 2025 proposed revised Express Terms, chargers installed for less than one year are not treated differently from any other chargers for compliance purposes. A temporary charger as defined in 3121(50) is not within the scope of the regulations per 3120(a).

**Q13. Can you clarify the enforcement framework and the penalties for failure to meet uptime standards?**

A13. Chargers covered by the regulations that do not comply with the September 8, 2025 proposed revised Express Terms are out of compliance. If adopted, the CEC plans to enforce these terms as appropriate under existing CEC enforcement powers and grant terms.

**Q14. Can you clarify the definition of “private residential charger?”**

A14. See Section 3121(40) of the September 8, 2025 proposed revised Express Terms.

**Q15. Can you clarify the uptime equation?**

A15. As proposed in *Section 3124: Publicly or Ratepayer Funded Charger Uptime Report Requirements* of the September 8, 2025 proposed revised Express Terms, the uptime equation is:

$$U = \frac{T - D + E}{T} * 100\%$$

The variables U, T, D, and E can be found in *Section 3124: Publicly or Ratepayer Funded Charger Uptime Report Requirements*. In accordance with standard engineering practices, the fraction bar serves as a parenthesis in this equation such that (T-D+E) should be calculated prior to dividing by T. The units of T, D, and E are minutes. The division operation results in a unitless number, which necessitates the inclusion of the % unit in the subsequent multiplication by 100% to yield a charging port uptime percentage.

**Q16. Can you clarify if “operating hours” are included in total downtime?**

A16. Operating hours are part of excluded downtime, as described in Section 3124(d)(7) the September 8, 2025 proposed revised Express Terms, which are subtracted from total downtime when calculating uptime percentages.

**Q17. Can you clarify the moment downtime tracking begins for a nonfunctional charger?**

A17. In the September 8, 2025 proposed revised Express Terms, downtime begins when a charger transmits a signal indicating non-operative or unavailable status, or the first record that the charger is not functioning normally, whichever is longest. See Section 3124(c)(1) of the proposed Express Terms for an expanded definition.

**Q18. Can you clarify what state incentives are subject to the proposed regulation?**

A18. See Section 3121(42) of the September 8, 2025 proposed revised Express Terms for the proposed definition of a publicly or ratepayer funded charger of the revised Express Terms published on September 8, 2025. In lay terms, this definition includes all state grants, federal grants that pass through a state agency, and charges on the customers of an investor-owned or publicly owned utility, or community choice aggregator.