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**Industry Comments on Proposed Regulations for Improved EV
Charger Recordkeeping_letter_092025**

Additional submitted attachment is included below.

September 23, 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,

The Electric Vehicle Charging Association (EVCA) appreciates the California Energy Commission's (CEC) continued engagement with industry stakeholders as it works to finalize the Electric Vehicle Charger Reliability Regulations. We thank the CEC for its thoughtful, iterative approach to rulemaking and its willingness to revise and improve the proposed framework in response to public input.

In particular, we appreciate the changes to Section 3121(d)(4), which now allows operators to request additional time for vandalism-related downtime exclusions. This flexibility reflects real-world site conditions and demonstrates responsiveness to concerns shared by EVCA and others in earlier comment rounds.

As the CEC moves toward adoption of a final regulation, we would like to reiterate several core issues raised in our August 8 letter that remain unaddressed:

- The continued requirement to share real-time API data with third parties, including pricing structure information, without adequate confidentiality protections or terms-of-use enforcement (Sections 2505 and 3126);
- A lack of clarity in how the uptime service level agreement (SLA) will be enforced, and whether non-compliance will trigger fines, penalties, or public disclosure

(Section 3130);

- A misalignment between the quarterly reporting obligations in Section 3120 and the annual SLA compliance framework defined in Section 3124;
- The inclusion of inventory fields Q–V (Section 3120(b)(2)) (such as payment methods, power sharing, and dynamic pricing) which go beyond the scope necessary to monitor charger reliability;
- The absence of a mechanism to notify charging networks when chargers under their management receive state or ratepayer funding (Section 3122); and
- The ability for CEC to publish provider-specific uptime data under Section 3125, which raises concerns about data interpretation and commercial impact.

We continue to urge the CEC to address these issues, which remain priorities for EVCA members.

In addition, we offer the following new recommendations:

- **Data Dictionary Implementation**
As the CEC develops the data dictionaries and reporting schema necessary for implementation, we recommend creating a structured feedback loop with technical teams from EVSE networks and operators. This collaborative process will help ensure the data structure is technically feasible, interoperable, and minimizes burdens on reporting entities.
- **API Implementation Model**
EVCA recommends the CEC consider adopting a hub-and-spoke implementation model (with the CEC serving as the central interface for third-party data access) rather than requiring peer-to-peer API connections between each operator and every requesting entity. A centralized approach would enhance security, ensure consistent data formatting, and reduce the complexity of onboarding and managing third-party integrations.
- **Clarify “Pricing Structure” Disclosure**
While the updated language in Section 3126 limits pricing disclosures to the “pricing structure,” this term is undefined and may still expose sensitive rate strategies and competitive positioning. EVCA recommends that the CEC either define this term narrowly (e.g., flat vs. time-of-use vs. dynamic) or remove it from

the real-time API requirements altogether.

- **Downtime Exclusion Cap**

We appreciate the ability to request additional downtime for vandalism-related events. However, members note that the default 10-day cap may still be insufficient in cases involving theft, recurring vandalism, or significant utility delays. We recommend establishing a clear process for case-by-case extension approvals based on supporting documentation.

- **Exclusion Documentation Burden**

Under the current draft, reporting agents are responsible for collecting all documentation required to support downtime exclusions (e.g., utility outages, local emergency orders). In cases where the reporting entity is not the site owner or host, this imposes an undue burden. EVCA recommends that documentation responsibilities be shifted to the party best positioned to obtain it—typically the site host, local agency, or utility.

- **Preventive Maintenance and Upgrade Downtime**

EVCA recommends that the CEC consider a formal exclusion pathway for planned network upgrades or preventive maintenance activities, particularly when delays are caused by long utility lead times or permitting issues outside the provider's control. The goal of the uptime standard should be to discourage avoidable outages, not improvements to long-term performance.

- **Clarify Responsibility for Public Funding Fields**

Several fields in the inventory report (such as: `is_publicly_funded`, `charging_funding_recipient_entity_name`, and `charging_site_host_entity_name`) require data that many charging networks or software providers do not have access to. EVCA recommends reassigning responsibility for these fields to the site host or funding agency, or removing them from the reporting obligation for third parties who are not the funding recipient.

- **Extend Confidential Address Protections to All Location Fields**

While the regulations allow operators to designate charger addresses as confidential (Section 3120(b)(2)(B)), this protection does not extend to other potentially identifying fields such as site name or coordinates. We recommend applying the “confidential location” designation to all related geographic fields for consistency and to prevent unintended disclosure.

EVCA thanks the CEC for its continued willingness to engage in rulemaking and for its recognition of the unique operational and commercial dynamics of the EV charging

industry. We look forward to continued collaboration to ensure this regulatory framework supports reliability and innovation.

Sincerely,

Reed Addis

Governmental Affairs

Electric Vehicle Charging Association