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Incentive Recipient Agreement (IRA) Delay and the Impact that has on the 270 Day Installation Window

Additional submitted attachment is included below.

GREEN WATER AND POWER

October 22, 2025

California Energy Commission
715 P Street
Sacramento, CA 95814

RE: Green Water and Power Comments to CALSTART and the California Energy Commission (CEC) regarding the Communities in Charge Rebate program

To whom it may concern,

Firstly, we would like to acknowledge and applaud the efforts of the CEC in supporting the transition of transportation electrification throughout California by funding the Communities in Charge program in its 4th funding Wave. The previous waves have made a significant impact by serving communities throughout the state through critical funding to support the installation of the electric vehicle infrastructure necessary to remove barriers to adoption of electric vehicles.

With that said, the recent announcement by the Communities in Charge Wave 4 program is going to undermine additional progress towards those goals. On October 7th, 2025, the program sent out the following announcement:

"The Incentive Recipient Agreement (IRA) will be finalized and ready for distribution in November. The Communities in Charge team will send a follow-up email with further instructions. Please note that although the IRA will be distributed after the Notice of Award, the 270-day installation window started on October 1, 2025, when the Notice of Intent to Award was distributed."

This presents significant challenges to the successful completion of projects and if not addressed will cause delays and impact the program's success. The Incentive Recipient Agreement (IRA) is the contract between program participants and CALSTART governing the terms and conditions of the project. This contract contains key provisions governing participation in the program, including binding economic and regulatory terms.

The position that the 270-day clock has already started, despite the contractual and binding terms not being finalized and released is concerning. It is not commercially reasonable for a participant to take on the financial risk of starting a construction project without knowing the terms they must operate under. It is also our belief that construction at a jobsite, in the absence of a signed IRA, may violate California Contractor License Law, specifically Chapter 8. Business and Professions Code.

We urge the CEC and Communities in Charge program staff to reconsider the position that the clock has started and the clock should only begin once the Incentive Recipient Agreement is finalized and released.

Sincerely,

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