

DOCKETED	
Docket Number:	22-EVI-04
Project Title:	Electric Vehicle Charging Infrastructure Reliability
TN #:	272898
Document Title:	ChargePoint, Inc. Comments - ChargePoint Comments
Description:	N/A
Filer:	System
Organization:	ChargePoint, Inc.
Submitter Role:	Public
Submission Date:	9/23/2026 2:44:20 AM
Docketed Date:	9/23/2026

Comment Received From: ChargePoint, Inc.
Submitted On: 9/23/2026
Docket Number: 22-EVI-04

ChargePoint Comments

Additional submitted attachment is included below.



ChargePoint, Inc.

254 East Hacienda Avenue | Campbell, CA 95008 USA
+1.408.841.4500 or US toll-free +1.877.370.3802

September 22, 2026

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

RE: Notice of Proposed Action | Rulemaking to Amend Electric Vehicle Charger Reliability Standards
(Docket No. 22-EVI-04)

Dear Commissioners and Staff:

ChargePoint, Inc. appreciates the opportunity to submit these comments on the proposed amendments to the EV Charger Data and Reliability Standards, Title 20, California Code of Regulations, Division 2, Chapter 12, Article 2, as noticed on Aug. 7, 2026. ChargePoint has been building and operating EV charging infrastructure since 2007 and operates one of the largest charging networks in the world. We have deep experience with the operational, technical and data reporting requirements that these regulations address, and we share the California Energy Commission's (CEC) commitment to building reliable, high-quality EV charging infrastructure across the state.

ChargePoint supports the proposed amendments as a whole. The changes reflect thoughtful engagement with industry feedback and demonstrate the CEC's willingness to adapt regulatory requirements to the practical realities of deploying and operating charging infrastructure at scale. We particularly commend the CEC for the Megawatt Charging System exemption, the streamlined recordkeeping and reporting agent designation process and the creation of an alternative certification pathway for OCPP 2.0.1 compliance. We offer the following comments to help strengthen the final rule.

I. Strong Support for the Alternative Certification Pathway

ChargePoint strongly supports the creation of the "Certification Pending" pathway in Section 3131(a)(6)(B)(ii). This provision is the single most important change in the proposed amendments for ensuring broad industry participation in the enrolled charging network provider program from day one.

OCPP 2.0.1 Subset Certification is a rigorous technical undertaking. It requires dedicated engineering resources, coordination with independent test laboratories authorized by the Open Charge Alliance and scheduling that is subject to the capacity constraints of those testing organizations. The original regulatory framework, which required certification as a precondition for enrollment, did not adequately account for these realities. A strict certification-first requirement risked creating an artificial bottleneck that could have excluded otherwise-qualified charging network providers from the program during the critical initial implementation period — not because those providers lacked the technical capability to collect and transmit the required data, but because the certification pipeline could not process applications fast enough.

The alternative pathway addresses this problem directly. By allowing a charging network provider to enroll while certification is in progress — provided it has applied to a test laboratory, meets the data transmission requirements of Section 3125 and commits to obtaining certification within 180 days of the regulation’s effective date — the CEC has struck the right balance between maintaining rigorous technical standards and ensuring that the program can launch with the broadest possible base of participating providers. This approach also ensures the CEC begins receiving the data it needs on the timeline it needs, without waiting for each provider to navigate the certification queue.

ChargePoint encourages the CEC to monitor the pace of certifications during the initial implementation period and to consider whether the 180-day window provides sufficient time for all providers to complete the process. If testing capacity proves to be a constraint, the CEC should be prepared to extend the deadline rather than lose enrolled providers who are transmitting usable data and acting in good faith to complete certification.

II. Transitional Guidance on OCPP 2.0.1 Certification Timeline

ChargePoint urges the CEC to provide clear, timely guidance to charging network providers regarding OCPP 2.0.1 certification obligations during the transitional period between the existing regulation and the proposed amendments. Under the current rule, charging network providers seeking enrolled status must obtain OCPP 2.0.1 Subset Certification by Sept. 28, 2026. The proposed amendments would establish an alternative “Certification Pending” pathway in Section 3131(a)(6)(B)(ii) that would allow providers to enroll while certification is in progress, provided they have applied to an authorized test laboratory and meet the data transmission requirements of Section 3125. However, because the proposed amendments have not yet been adopted and the effective date of the final rule remains unknown, charging network providers currently face significant uncertainty about which set of requirements will govern their enrollment applications.

This uncertainty has practical consequences. Charging network providers that are actively pursuing OCPP 2.0.1 Subset Certification — and making good-faith investments of engineering resources and testing fees to do so — cannot know whether the Sept. 28, 2026, deadline will be enforced as written or whether the alternative pathway will be available before that date arrives. Providers that have submitted applications to authorized test laboratories but have not yet completed the certification process through no fault of their own may find themselves ineligible to enroll under the current rule, even though the CEC has already proposed to create a pathway that would accommodate exactly their situation.

ChargePoint recommends the CEC issue interim guidance clarifying how it intends to treat enrollment applications submitted by charging network providers that have not yet obtained Subset Certification as of Sept. 28, 2026, but that would otherwise qualify under the proposed “Certification Pending” pathway. At minimum, the CEC should confirm that it will not deny or reject enrollment applications on the sole basis of missing the Sept. 28 certification deadline while this rulemaking is pending. Without that assurance, providers may be forced to choose between delaying their enrollment — and the data reporting the CEC is seeking — or attempting to compress a complex certification process into a timeline that may no longer be necessary once the final rule takes effect.

III. The Grounds for Revocation Framework Warrants a Measured Approach

ChargePoint supports the CEC's authority to hold enrolled charging network providers accountable for meeting their data reporting obligations. A credible enforcement mechanism is essential to the integrity of the program. However, ChargePoint urges the CEC to approach the revocation provisions in Section 3131(e) with caution, particularly during the initial implementation period when both industry and the CEC will be working through the practical realities of large-scale OCPP data transmission for the first time.

ChargePoint's concern is not with the existence of a revocation framework — it is with the risk that the current thresholds may not adequately account for the operational realities of standing up complex data pipelines at the scale this regulation demands. Section 3131(e)(2) establishes that grounds for revocation exist when a charging network provider fails to transmit accurate and complete data on 22 or more occasions in a calendar month. The ISOR explains this threshold as aligning with a 97% accuracy standard across 720 hourly transmissions in a 30-day month. But in practice, a single infrastructure event — a server migration, a communications outage, a cloud provider disruption or a software deployment affecting data formatting — could generate enough transmission failures in a single day to meet the threshold for that entire month. For a provider operating thousands of chargers and transmitting tens of thousands of data records daily, the margin for error is extremely thin.

The early months of any new large-scale data reporting regime are inherently a learning period. ChargePoint's own experience with prior state reporting systems has demonstrated that data definitions, validation rules and edge cases require iterative refinement once real data begins flowing at volume. The hourly OCPP data dictionary is substantially more complex than prior reporting formats, and it is virtually certain that both charging network providers and the CEC's own validation systems will need to work through ambiguities in the data specifications during initial reporting periods. Data that is flagged as "inaccurate" or "incomplete" by an automated validation system may, upon closer examination, reflect a reasonable interpretation of the data dictionary or an issue with the validation logic itself.

ChargePoint recommends three refinements to Section 3131(e) to ensure the revocation framework achieves its intended purpose without creating disproportionate risk during the ramp-up period:

First, the CEC should establish an informal, collaborative resolution process as a preliminary step before the Executive Director issues a formal Notice of Intent to Revoke. During at least the first year of reporting, CEC staff and reporting agents should have a structured opportunity to identify and resolve data quality issues before those issues become grounds for formal enforcement action. This collaborative approach is consistent with the CEC's strong track record of constructive engagement with industry and would produce better data outcomes than a strictly adversarial posture during a period when both parties are still calibrating.

Second, the revocation analysis should incorporate consideration of scale and materiality. A small number of errors within thousands of data transmissions is a fundamentally different situation than a wholesale failure to report. The regulations should distinguish between systemic noncompliance and isolated or de minimis errors that do not undermine the integrity of the data the CEC is collecting.

Third, ChargePoint recommends the CEC consider adjusting the threshold in Section 3131(e)(2) to better reflect the volume of data being transmitted and the operational realities of managing large-scale data infrastructure. A percentage-based threshold or a higher absolute number — calibrated to the scale of a provider's network — would more accurately distinguish between providers that are failing to meet

their obligations and those experiencing the kind of transient disruptions that are inherent in operating complex distributed systems.

IV. Additional Comments

ChargePoint supports the MCS exemption. Megawatt charging technology is still in its early stages of commercial deployment, and applying the full suite of reporting and reliability requirements to MCS chargers at this point would impose significant burdens on early adopters without producing the kind of meaningful, comparable data these regulations are designed to generate. The exemption appropriately allows this market to develop while preserving the CEC's authority to bring MCS chargers into the regulatory framework as the technology and market mature.

ChargePoint also supports the simplification of the recordkeeping and reporting agent designation in Section 3122(c). Clarifying that the charging network provider serving a publicly or ratepayer funded charger is the recordkeeping and reporting agent by default reduces administrative complexity for site hosts and aligns the regulation with operational reality. The networking provider is the entity best positioned to collect and transmit the required data, and formalizing that role eliminates unnecessary procedural steps.

V. Conclusion

ChargePoint appreciates the CEC's continued willingness to engage with industry stakeholders and to refine these regulations based on operational experience and feedback. The proposed amendments represent meaningful progress toward a regulatory framework that is both rigorous and workable. We are committed to meeting the data reporting and reliability standards this regulation establishes and look forward to working with CEC staff on the issues raised in this letter.

We welcome the opportunity to discuss these comments further at the Sept. 24, 2026, public hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Wilson', with a stylized, cursive script.

Justin Wilson
Sr. Director, Regulatory Policy and Programs
ChargePoint, Inc.