

DOCKETED	
Docket Number:	22-EVI-04
Project Title:	Electric Vehicle Charging Infrastructure Reliability
TN #:	272913
Document Title:	Chargie LLC Comments - Chargie LLC Comments - EV Reliability Standards
Description:	N/A
Filer:	System
Organization:	Chargie LLC
Submitter Role:	Public
Submission Date:	9/24/2026 9:24:31 AM
Docketed Date:	9/24/2026

*Comment Received From: Chargie LLC
Submitted On: 9/24/2026
Docket Number: 22-EVI-04*

Chargie LLC Comments - EV Reliability Standards

Additional submitted attachment is included below.

September 24, 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:

Chargee LLC ("Chargee") appreciates the opportunity to provide comments on the California Energy Commission's proposed amendments to the EV Charger Data and Reliability Standards, Title 20, California Code of Regulations, Division 2, Chapter 12, Article 2.

Chargee operates over 18,000 networked charging stations, with a significant concentration in California multifamily communities, and has extensive experience deploying, networking, monitoring, maintaining, and reporting on charging infrastructure supported by state and utility incentive programs.

Chargee supports the Commission's objective of improving the reliability of California's EV charging infrastructure and appreciates several changes reflected in the proposed amendments. In particular, the distinction between AC Level 2 and DC fast charging appropriately recognizes the different operating environments, use cases, economics, and reliability considerations associated with these technologies. Under the proposed amendments, AC Level 2 chargers are excluded from the uptime reporting requirements and from the additional OCPP and API requirements applicable to networked publicly or ratepayer-funded chargers.

As the Commission finalizes the regulations, Chargee recommends several additional revisions that would preserve the Commission's reliability objectives while reducing unnecessary administrative burdens and avoiding unintended consequences for charging operators and the customers they serve.

I. Harmonize Reporting Requirements Across California EV Charging Programs

Chargee's broader recommendation is that the CEC use this rulemaking as an opportunity to establish a **common reporting framework for publicly and ratepayer-funded charging infrastructure across California**.

Charging providers participating in CEC, investor-owned utility, publicly owned utility, and other state-supported programs are frequently required to provide overlapping information regarding the same charging stations. While the underlying objectives are often similar, individual programs may require different data fields, definitions, reporting formats, reporting periods, submission methods, and retention requirements.

The result is that operators may be required to collect, transform, validate, and submit substantially the same information multiple times in slightly different forms. These administrative requirements increase the cost and complexity of deploying and operating charging infrastructure without necessarily producing better information for the State.

The proposed regulations themselves require an extensive semiannual inventory containing information such as installation date, location, serial number, make and model, power rating, voltage, connector information, network identifiers, site use, payment methods, pricing information, and power-sharing capabilities. The regulations separately establish uptime reporting requirements and, for certain chargers, detailed API-based data transmission requirements.

Chargie recommends that the CEC coordinate with California utilities, other state agencies, and administrators of publicly funded EV infrastructure programs to establish a single standardized reporting framework. At a minimum, California programs should align:

- definitions and data dictionaries;
- charger, station, and port identifiers;
- required data fields and field formats;
- uptime and downtime definitions and calculations;
- reporting periods and submission deadlines;
- API and electronic delivery specifications; and
- record retention and supporting documentation requirements.

Where information has already been submitted through the standardized CEC reporting system, other state and ratepayer-funded programs should be permitted to rely upon that submission rather than requiring operators to separately provide substantially the same information.

The objective should be "**report once, use many times.**" A unified framework would reduce administrative expense, improve data consistency and quality, make comparisons across programs more meaningful, and allow charging providers to devote more resources to the actual deployment, operation, and maintenance of reliable charging infrastructure.

II. Provide an Appropriate Implementation and Transition Period

The proposed amendments continue to use **September 28, 2026** as a significant implementation date for networked publicly or ratepayer-funded chargers. For chargers installed on or after that date, the proposed regulations establish requirements involving enrolled charging network providers, OCPP 2.0.1 certification, and API-based reporting.

With the final amendments still undergoing rulemaking immediately before that date, charging providers, equipment manufacturers, funding recipients, and site hosts have insufficient time to incorporate the final requirements into equipment procurement, software development, contracting, certification, and deployment processes.

Chargie appreciates the proposed "Certification Pending" pathway, which recognizes that OCPP certification depends in part upon third-party testing capacity and provides for certification within 180 days following the effective date of the regulation. However, uncertainty remains regarding the treatment of chargers and providers during the period between September 28, 2026 and the effective date of the amended regulations.

Chargie recommends replacing the September 28, 2026 implementation trigger with a date at least 180 days following the effective date of the final regulations. The Commission should also grandfather equipment that has already been purchased, contracted, permitted, or entered construction before the applicable compliance date.

This would provide a reasonable transition period while avoiding the unnecessary stranding of charging equipment already moving through California's development and construction pipeline.

III. Revise the Revocation Threshold to Reflect Scale and Materiality

Chargie supports appropriate accountability for charging network providers responsible for transmitting data to the CEC. However, Section 3131(e)(2)'s absolute threshold for failed or incomplete data transmissions does not appropriately account for the scale of modern charging networks.

The proposed regulations establish grounds for revocation where a provider fails to transmit accurate and complete data within 60 minutes on **22 or more occasions in a calendar month or 132 or more occasions during a calendar year.**

A provider operating thousands of chargers may transmit an extremely large volume of individual records. A short-lived server, cloud, telecommunications, software, or integration event could therefore generate more than 22 delayed or incomplete transmissions while the overwhelming majority of required records are transmitted successfully. An absolute threshold can consequently treat a minor data interruption at a large network in the same manner as systemic noncompliance.

Chargie recommends replacing the absolute threshold with a percentage-based materiality standard that distinguishes systemic reporting failures from isolated or de minimis errors. The calculation should also exclude failures attributable to CEC systems, third-party telecommunications providers, cloud infrastructure outages, and other circumstances outside the network provider's reasonable control.

Chargie also recommends a collaborative cure process before formal revocation proceedings, particularly during the initial implementation period, so that technical or data-validation issues can be identified and corrected before they result in formal enforcement.

IV. Revise the Communications Outage Exclusion

The proposed regulations appropriately recognize that cellular and internet service provider outages can occur outside the control of a charging station operator. However, Section

3124(d)(6) allows such downtime to be excluded only if chargers default to a free-charge state during the communications loss.

Whether an operator provides electricity without charge during a third-party telecommunications outage does not change the cause of the outage or whether the outage was within the operator's control. Charging equipment also varies in its ability to safely support offline authorization or unrestricted free charging.

Chargie recommends that documented third-party telecommunications outages qualify as excluded downtime when they are outside the reasonable control of the charging station operator, regardless of whether the charger enters a free-charge state.

The Commission may appropriately encourage offline authorization and other continuity mechanisms, but those capabilities should not determine whether an otherwise documented third-party communications outage is treated as operator-caused downtime.

V. Apply a Reasonable-Diligence Standard to Vandalism, Theft, and Maintenance

Chargie supports holding charging station operators accountable for timely maintenance and repair. However, rigid excluded-downtime limitations can produce results that do not accurately measure operator performance.

For example, the proposed regulations generally limit excluded downtime attributable to vandalism or theft to **10 days per event**, even where the event is properly documented. Restoration following significant vandalism may depend on replacement equipment availability, utility work, permitting, insurance investigations, or specialized contractors outside an operator's control.

Similarly, preventive maintenance or upgrade work generally must be scheduled at least two weeks in advance to qualify as excluded downtime, and the exclusion is capped at 72 hours during a 12-month period. That framework may not adequately accommodate legitimate safety-related or emerging maintenance needs that could not reasonably have been scheduled two weeks in advance.

Chargie recommends supplementing these fixed limitations with a reasonable-diligence standard. Where an operator can document that it acted promptly and reasonably to restore a charger, downtime attributable to circumstances outside the operator's reasonable control should remain eligible for exclusion, subject to appropriate documentation and reasonable limitations.

This approach would better measure what the reliability standard is intended to evaluate: the charging operator's ability to responsibly operate and maintain functioning charging infrastructure.

VI. Streamline Semiannual Reporting for AC Level 2 Chargers

Chargie appreciates the Commission's decision to exempt AC Level 2 chargers from the uptime reporting requirements applicable to publicly or ratepayer-funded chargers. AC Level 2 chargers are also excluded from the additional OCPP certification and API reporting requirements contained in Section 3125.

However, AC Level 2 chargers remain subject to substantial semiannual inventory reporting requirements. These include numerous attributes that are generally static once a charger has been installed, such as installation date, location, serial number, make and model, electrical characteristics, connector information, network identifiers, site classification, payment information, pricing, and power-sharing capabilities.

For operators managing thousands of networked Level 2 chargers, repeatedly submitting unchanged information creates administrative burden without a corresponding reliability benefit.

Chargie recommends that, following an initial complete inventory submission, operators be required to report only additions, removals, replacements, and changes to previously reported information.

The CEC would retain a complete and current charger inventory while substantially reducing redundant reporting and the opportunity for inconsistencies between successive submissions. This approach would also complement the broader reporting harmonization principle described above.

VII. Maintain a Clear Connection Between Reporting Requirements and Reliability Objectives

Finally, Chargie encourages the Commission to periodically evaluate whether each required data element remains necessary to accomplish the reliability objectives underlying this rulemaking.

The semiannual reporting requirements include information regarding payment methods, payment actions, pricing information, and power-sharing capabilities, among numerous other fields. For publicly available networked chargers, additional requirements include real-time pricing, payment methods, roaming information, and other information made available to third-party software developers.

Some of this information may serve legitimate policy purposes beyond the calculation of charger uptime. However, as the Commission gains operational experience under these regulations, it should periodically evaluate whether each reporting requirement remains necessary, whether it duplicates information collected elsewhere, and whether the value of the information justifies the administrative burden associated with collecting and reporting it.

Chargie recommends that the CEC periodically review the required data fields and eliminate or consolidate unnecessary or duplicative reporting requirements, particularly where substantially identical information is already available through another state, utility, or publicly funded program.

Conclusion

Chargie supports the CEC's objective of ensuring that publicly supported charging infrastructure is reliable and that California has accurate information with which to evaluate infrastructure performance.

The most effective regulatory framework will focus industry resources on **keeping chargers operational rather than administering multiple overlapping reporting regimes**. Establishing a common reporting architecture across California programs, providing an appropriate implementation period, adopting proportionate enforcement standards, recognizing circumstances genuinely outside operators' control, and eliminating duplicative reporting would materially improve the regulations without diminishing their reliability objectives.

In particular, Chargie encourages the Commission and California's utilities and incentive program administrators to work toward a **"report once, use many times" framework** in which common definitions, fields, formats, and delivery mechanisms allow a single high-quality data submission to satisfy overlapping state and ratepayer-funded reporting obligations.

Chargie appreciates the Commission's continued engagement with charging providers and welcomes the opportunity to work with CEC staff, utilities, and other California agencies to develop a streamlined and standardized reporting framework that supports both accountability and the continued expansion of reliable EV charging infrastructure throughout California.

Sincerely,

Cole Reinwand
Chief Executive Officer
Chargie LLC