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EVCA Comments, Rulemaking to Amend Electric Vehicle Charger Reliability Standards

Additional submitted attachment is included below.



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:

The Electric Vehicle Charging Association (EVCA) 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 August 7, 2026. EVCA represents the nation's leading electric vehicle charging network providers and works closely with the California Energy Commission (CEC) and other state agencies to advance reliable, accessible, and interoperable EV charging infrastructure. We offer the following comments and requests for clarification.

I. Support for the MCS Exemption

EVCA thanks the CEC for exempting Megawatt Charging System (MCS) EV chargers from the reliability and reporting requirements in this rulemaking based on feedback provided by industry during the prior rulemaking cycle. EVCA concurs with the CEC's finding that MCS technology is still nascent, with limited commercial deployments and evolving operational practices even as more heavy-duty electric vehicles are emerging on the market. Applying the full suite of uptime, hourly data reporting, and performance standards to MCS chargers at this stage would have imposed significant burdens on early adopters without generating the kind of meaningful, comparable data these regulations are designed to produce. The exemption strikes the right balance: it allows the MCS market to develop while preserving the Commission's authority to bring these chargers into the regulatory framework when both the technology and the market have matured sufficiently. EVCA recommends that the Commission establish a process and timeline for revisiting the MCS exemption as the technology matures. That process should evaluate MCS reliability against the 97 percent uptime standard applicable to other covered chargers and consider when it is reasonable to expect MCS chargers to



achieve comparable uptime and comply with reporting requirements applicable to NACS and CCS chargers.

II. Support for OCPP Certification Changes

EVCA also appreciates the Commission's decision to provide additional time and flexibility for OCPP 2.0.1 certification of charging network providers. The proposed amendments in Section 3131(a)(6)(B) create a "Certification Pending" pathway that allows network providers to enroll and begin serving as recordkeeping and reporting agents while they complete the OCPP 2.0.1 Subset Certification process. This is a practical and welcome change. OCPP 2.0.1 certification is a significant technical undertaking, and the original timeline did not adequately account for the capacity constraints at testing organizations or the engineering effort required to achieve certification. By allowing providers to demonstrate progress toward certification — rather than requiring it as a condition of initial enrollment — the CEC has reduced the risk that otherwise-qualified network providers would be excluded from the program during a critical ramp-up period.

EVCA additionally supports the proposed changes to Section 3122(c), which clarify that the charging network provider that provides networking services for a publicly or ratepayer funded charger shall serve as the recordkeeping and reporting agent. This simplification — replacing the prior requirement that the site host or funding recipient designate a CNP — reduces administrative burden on site hosts and aligns the regulatory framework with operational reality, since the networking provider is the entity best positioned to collect and transmit the required data.

III. Clarification Needed on Section 3131(a)(6)(B)(ii) — OCPP Certification Timeline and Alternative Pathway

EVCA requests clarification on the proposed language in Section 3131(a)(6)(B)(ii), which establishes a "Certification Pending" pathway for charging network providers that have not yet obtained OCPP 2.0.1 Subset Certification at the time of their enrollment application.

Section 3131(a)(6)(B)(ii) appears intended to provide a distinct alternative to the "Certification Obtained" requirement in Section 3131(a)(6)(B)(i), allowing a charging network provider to become an eligible enrolled network provider even if it has not yet



obtained OCPP 2.0.1 Subset Certification, provided it meets certain conditions. However, subsection (c) of that alternative pathway requires the charging network provider to "obtain...Subset Certification ... by 180 days after the effective date of this regulation." This is the same deadline referenced in the threshold condition of Section 3131(a)(6)(B)(ii) itself — meaning the alternative pathway ultimately requires the same certification, on the same timeline, as the primary pathway. As drafted, the "Certification Pending" pathway does not appear to provide a meaningfully different route to enrollment. EVCA respectfully requests the CEC clarify the intended distinction between the two pathways, and specifically whether subsection (c) is intended to allow a longer certification timeline or other form of flexibility not currently reflected in the proposed text. EVCA supports providing reasonable additional time where necessary to address certification capacity and implementation constraints, provided that the regulations establish a clear process and timeline for concluding any extension and transitioning providers to full certification requirements.

IV. Concern Regarding Section 3131(e) — Grounds for Revocation

EVCA is concerned about the revocation provisions proposed in Section 3131(e), particularly as to how they apply during the initial implementation period. While we understand and support the CEC's interest in ensuring that enrolled charging network providers submit accurate and complete data, we believe the current thresholds are unrealistically stringent for what will inevitably be a learning period for both industry and the Commission.

Specifically, Section 3131(e)(2) provides that grounds for revocation exist when a charging network provider fails to transmit "accurate and complete data within 60 minutes as specified in subdivision 3125(b) on 22 or more occasions from the beginning to the end of a calendar month." In practice, this means that a single day of data pipeline disruption — a server migration, a communications outage, or a software deployment error — could generate enough errors to constitute grounds for revocation of a provider's enrolled status. For a large network transmitting thousands of OCPP records per day, 22 errors in a month is an extraordinarily low threshold. A single calendar day of disruption could easily exceed it.

Moreover, the requirement for "accurate and complete" data will itself be subject to interpretation during the early reporting periods. The hourly OCPP data dictionary is

complex, and it is very likely that there will be legitimate gray areas in how to interpret the data specifications that will only be revealed once network providers begin delivering data at scale. Industry's experience with the EV-ChART database — which has much simpler data requirements — demonstrated exactly this dynamic: both the reporting entities and the regulatory agency needed to work through ambiguities in data definitions, validation rules, and edge cases collaboratively before the process stabilized. It is also likely that the CEC's own data validation systems will need refinement. Data that is rejected as "inaccurate" or "incomplete" by an automated validation system may, upon further review, reflect a reasonable interpretation of the data dictionary or an error in the validation rules themselves.

EVCA respectfully recommends that the CEC consider the following modifications to Section 3131(e) and the associated revocation procedures:

- Establish an informal, collaborative resolution process as an intermediary step before the Executive Director issues a formal Notice of Intent to Revoke. During at least the first year of reporting, the CEC and reporting agents should have a structured opportunity to identify, discuss, and resolve data quality issues before they become grounds for formal enforcement action. This collaborative approach would be consistent with the CEC's broader stakeholder engagement practices and would produce better data outcomes than an adversarial enforcement posture.
- Incorporate consideration of the scale and materiality of data inaccuracies or incompleteness when evaluating whether revocation grounds have been met. A handful of errors in thousands of rows of data should not be treated the same as a wholesale failure to report. The regulations should distinguish between systemic noncompliance and isolated or de minimis errors.
- Raise the threshold in Section 3131(e)(2) to a level that accounts for the volume of data being transmitted and the practical realities of operating large-scale data pipelines. A threshold of 22 errors per month is a single incident for any network provider of meaningful size. We recommend the CEC consider a percentage-based threshold or a higher absolute number that reflects operational reality.

V. Comment on the Hourly Charger Data Reporting Specification

Within the "TransactionEventRequest" PDU, the reportable values listed for the field "transaction_event_request_transaction_info_stopped_reason" appear to miss three values from the OCPP 2.0.1 specification: StoppedByEV, TimeLimitReached, and Timeout. We recommend the CEC add these three OCPP-defined values to the data



dictionary's description for

"transaction_event_request_transaction_info_stopped_reason."

VI. Harmonization of Charger Inventory Reporting Formats

EVCA also requests that the CEC harmonize the charger inventory data required under Article 2 with the inventory data required through ZEVIR. Section 3123 requires semiannual inventory reporting using the Semiannual Charger Data Reporting Specification, while ZEVIR separately requires a Utilization Inventory template for grant-funded chargers. The two submissions collect substantially overlapping charger identity, location, equipment, network, and power information, but use different schemas and reporting workflows. Requiring providers to maintain parallel mappings for substantially the same charger inventory increases administrative burden and creates avoidable opportunities for validation errors and inconsistent records.

EVCA respectfully recommends that the CEC adopt a common core inventory schema and naming convention across EV-CARR and ZEVIR, or allow an Article 2 inventory submission to satisfy the overlapping ZEVIR inventory fields. Grant- or program-specific fields could remain as supplemental fields where needed. This would extend the same streamlining principle the CEC has already adopted through its Data Sharing Agreement process, reducing duplicative reporting while improving data consistency and quality for both industry and the Commission.

VII. Alignment of Grant-Funded Reliability Reporting

EVCA requests that the CEC align reliability reporting requirements for CEC-funded chargers with the semi-annual uptime reporting requirements (Section 3124) of the Commission's final EV Charger Data and Reliability Standards. Many grant agreements executed before those regulations were finalized contain detailed reliability recordkeeping and reporting requirements developed in anticipation of the AB 2061 and AB 126 rulemaking. Some agreements expressly provide that subsequently adopted regulatory requirements may supersede Scope of Work requirements where the Commission Agreement Manager determines that they conflict or are redundant.

For example, the final regulations exclude AC Level 2 chargers from certain reliability reporting and performance requirements. Continuing to apply legacy grant-specific reporting requirements unchanged can therefore create a parallel reporting burden for a class of chargers that the Commission ultimately determined did not warrant the same

regulatory reporting framework. This can include extensive remote-monitoring, downtime, failed-session, maintenance, and uptime reporting requirements over multiple years.

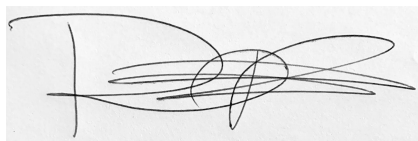
EVCA respectfully recommends that the CEC establish a process for Commission Agreement Managers to review existing and future grant requirements and waive or streamline reliability reporting that is duplicative or no longer necessary in light of the final regulations. Where a grant retains a project-specific reliability objective, reporting should be limited to the data reasonably necessary to demonstrate achievement of that objective rather than automatically carrying forward the full legacy reliability reporting framework.

VII. Conclusion

EVCA appreciates the Commission's continued engagement with industry stakeholders on these important regulations. We share the CEC's goal of building reliable, well-maintained EV charging infrastructure in California, and we believe the clarifications and modifications described above will help ensure that goal is achieved in a manner that is both effective and workable for the charging network providers that will be implementing these requirements.

We look forward to discussing these comments further at the September 24, 2026 public hearing and welcome the opportunity to work with CEC staff on any of the issues raised herein.

Respectfully submitted,



Reed Addis
Government Affairs
Electric Vehicle Charging Association