

DOCKETED

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AB 2061 Implementation- EV Charger Standards

Additional submitted attachment is included below.

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December 9, 2022

Ms. Patricia Monahan
Commissioner
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814
Docket: 22-EVI-04

Re: Honoring the Intent of Assembly Bill 2061 (Ting) via Implementation

Dear Commissioner Monahan,

As the joint authors of Assembly Bill 2061 (Ting), the EVSE Reliability Transparency Act, we write to express our support and enthusiasm for your agency's implementation of this important legislation. Wide adoption of EVs requires democratized access to charging infrastructure. But as we know, it's not enough to have infrastructure deployed, it must also be well maintained. Access to functioning chargers is critical to reducing driver anxiety due to broken chargers and increasing driver confidence in EVs as reliable and convenient.

As your agency begins implementation, we offer some key recommendations that are consistent with the spirit and intent of our bill. We encourage you to consider them and incorporate them into your final standard.

First, consistent with other CEC incentive programs, we encourage you to require chargers to meet a minimum of 97 percent uptime, and even potentially consider increasing this percentage over time if chargers have consistently met this requirement. This is common across many EV charging incentive programs in the U.S. There are other examples of this within California too — both Silicon Valley Clean Energy and the Bay Area Air Quality Management District require 97 percent uptime in their respective EV charging incentive programs as well. At the time AB 2061 went through the Legislature, the federal government proposed a 97% uptime requirement per charger as part of its rulemaking process on EV charger standards. We wrote this bill with that metric in mind.

Second, strictly limit allowable uptime exclusions to the issues articulated in AB 2061 (Ting) — upstream infrastructure failures (grid, WiFi, cellular) and vandalism. The more exclusions the CEC allows to how uptime is calculated, the further it gets from the true reliability of a charger. Other types of exclusions can be hard to prove (i.e. vehicle interoperability, supply chain shortages). We do not see these as appropriate exclusions, otherwise we would have specified that in the legislation.

Third, other reliability metrics should not be a substitute for, nor obfuscate, the state's understanding of uptime. While AB 2061 (Ting) acknowledges and permits the CEC to incorporate other metrics (i.e. success rate, etc.), the original intent of this bill was to track and analyze uptime.

We support the CEC requiring other metrics if it deems them reasonable, but we caution against those metrics potentially being used to dilute public discussion and understanding of charger uptime.

Finally, we support the CEC conducting field inspections and requiring uptime data reporting for all chargers, including those installed before January 1, 2024, as well as those that are not publicly funded. AB 2061 (Ting) explicitly requires the CEC to analyze the uptime of all chargers, and the CEC already has existing regulatory authority to collect uptime data. Field inspections and data reporting are complementary efforts that give the CEC a holistic understanding of charger reliability.

California once again has an opportunity to innovate cutting-edge standards for other states and localities to follow. Through AB 2061 (Ting), the legislature seeks to ensure that infrastructure built with public dollars works for all Californians. We trust the CEC to honor the intent of the AB (2061) and construct a standard that puts drivers first.

Please do not hesitate to contact our offices with any questions about our recommendations.

Thank you,



PHILIP Y. TING
Assemblymember, 19th District



Eloise Gomez Reyes
Assembly Majority Leader, 47th District

CC: Gia Vacin, Governor's Office of Business & Economic Development, ZEV Infrastructure Unit
Analisa Bevan, Air Resources Board