

DOCKETED

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Project Title:	National Electric Vehicle Infrastructure (NEVI) Funding Program
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Document Title:	California NEVI Discretionary Exception Request - Interstate 40
Description:	N/A
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State EV Deployment Plan Exception Request

As part of the development and approval of State Plans, a State may submit a request for discretionary exceptions from the requirement that charging infrastructure is installed every 50 miles along a designated Alternative Fuel Corridor highway and within 1 travel mile of the designated Alternative Fuel Corridor highway. Exceptions will be granted under very limited circumstances on a **case-by-case basis**, approved in conjunction with annual state plan certification. A State may apply for an exception to the 50-mile criteria, an exception to the 1-mile (proximity) criteria or both for any of four reasons:

- Grid Capacity: Delivering sufficient power to the charging site requires major upgrades to existing infrastructure
- Geography: Lack of necessary services or access to the site significantly compromise accessibility and/or functionality (e.g., roadway exits, necessary amenities)
- Equity: An alternate location that would still service travelers on the Interstate or Alternative Fuel Corridor would better provide benefits to a disadvantaged community
- Extraordinary Cost: Costs to locate and operate a station at a given site prevent its economic viability even with federal funding through NEVI or other sources

Exceptions to the **50-mile criteria will be valid for the year of the plan** being certified; exceptions to the **1-mile criteria will be permanent upon commissioning of the charging site**. Fifty-mile exceptions will be revisited annually as conditions change and State Plans are updated. Greater scrutiny will be applied to larger deviations from the distance requirements.

Through the Bipartisan Infrastructure Law, the NEVI program has funding appropriated in FY22-FY26. States are encouraged to focus on exception requests for conditions that they expect to persist through this timeframe. States interested in requesting a discretionary exception are encouraged to provide the information outlined in this template to enable an appropriate determination.

The exception requests may be submitted as a separate attachment to the State Plan, or the information included below may be incorporated directly into the State Plan. **States are encouraged to submit a completed template to the Joint Office of Energy and Transportation for review and preliminary feedback in advance of State Plan submittal.** To submit the exception request in advance of the State Plan submittal send the MS Word or PDF file as an attachment to the [Drive Electric submission email](#).

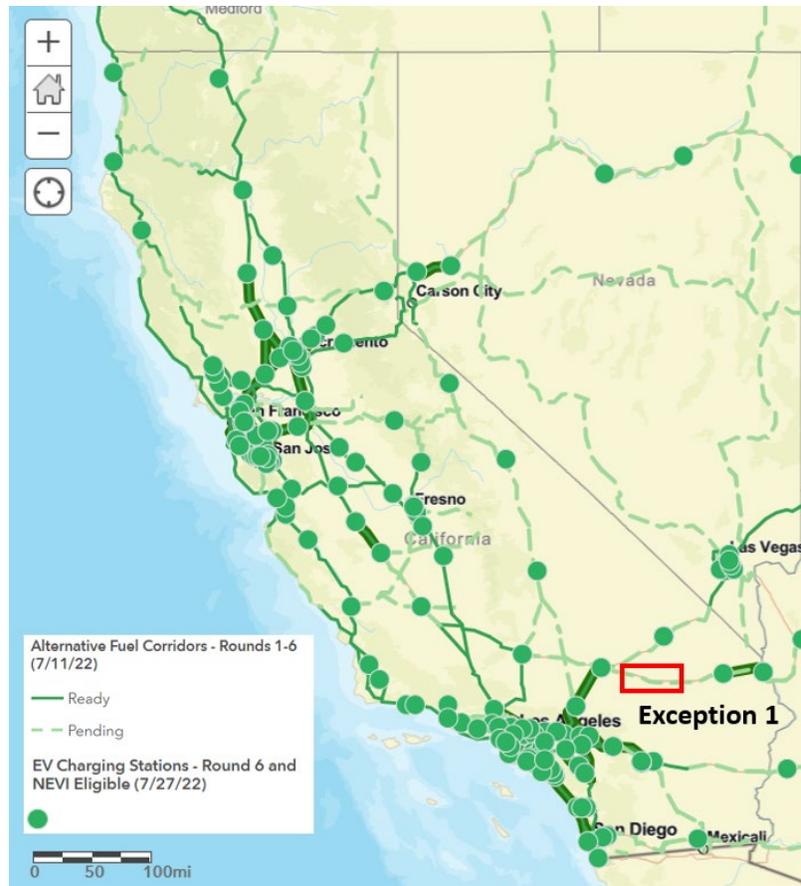
Exception Request Template

Summary of Requests

Exception # ¹	Type ²	Distance of Deviation ³	Included in Round 6 AFC Nomination	Reason for Exception Request ⁴
1: Ludlow to Fenner (I-40)	<input checked="" type="checkbox"/> 50 miles apart <input type="checkbox"/> 1 mile from exit	<u>8.7</u> miles ___ miles	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Grid Capacity <input checked="" type="checkbox"/> Geography <input type="checkbox"/> Equity <input checked="" type="checkbox"/> Extraordinary Cost

1. Indicate the number for this specific exception request that corresponds to the same number located on the map provided below.
2. Select 50-mile and/or 1-mile distance exception or both
3. Note the distance of the exception request. For example, if the exception request is for a deviation of 5 miles from the 50-mile requirement, indicate 5-miles.
4. Check all reasons that apply.

MAP:

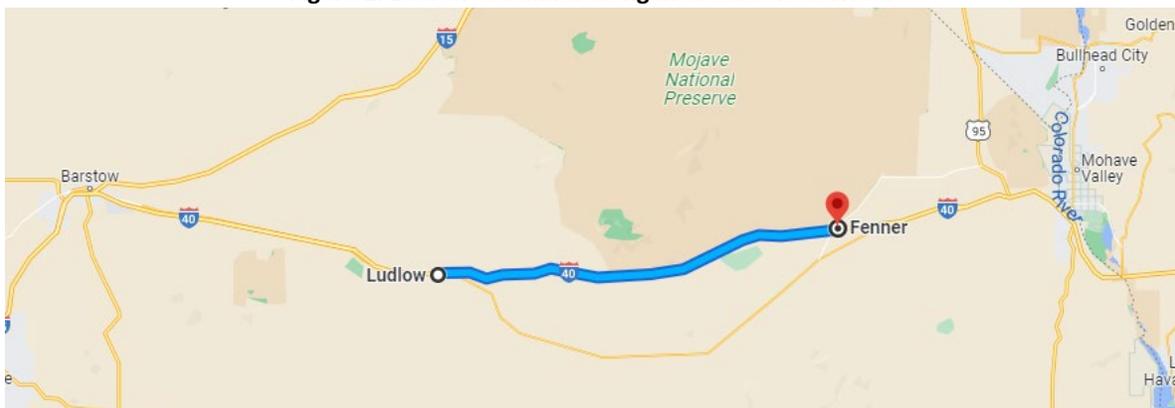


Justification for Exception

Exception 1: Ludlow to Fenner (Interstate 40)

California is requesting a discretionary exception between Ludlow and Fenner (see Figure 1). The I-40 corridor starts at Barstow and ends at the California/Arizona border. Interstate 40 is designated “EV - Corridor Pending” for the entire corridor in California. This 154-mile corridor has existing sites that meet NEVI criteria for number and size of chargers at Barstow, Fenner, and Needles (see Figure 2).

Figure 1: Ludlow to Fenner along Interstate 40 Corridor



Source: Google Maps

Figure 2: I-40 Corridor with NEVI-compliant and Upgradeable EV Charging Stations



Source: AFDC EV Corridors Tools

Two proposed sites are needed between Barstow and Fenner to satisfy the 50-miles-apart requirement. However, staff identified a 59-mile segment between Ludlow and Fenner with no existing amenities within one mile of the corridor (see Figure 3). The entire corridor is mostly rural with few surrounding towns and cities and serves as a connecting route between the Central Valley and Arizona. The entire corridor is located within both California-designated disadvantaged and/or low-income communities and Justice40-designated disadvantaged communities.

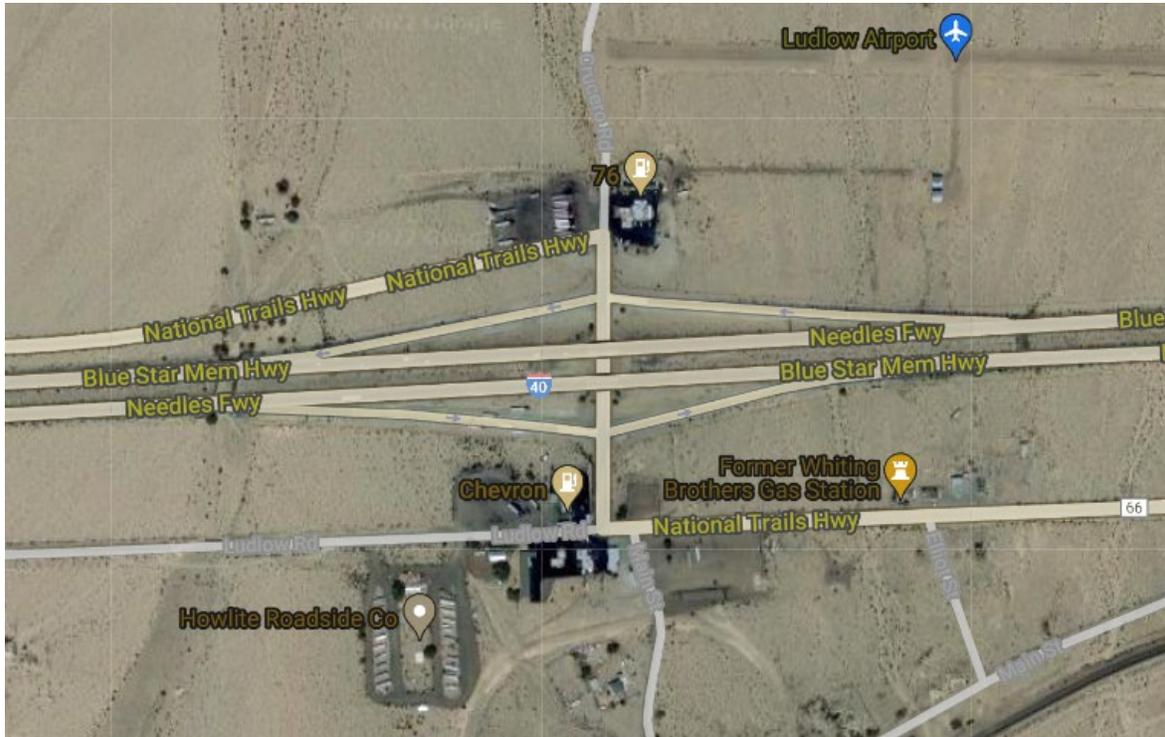
Figure 3: Ludlow to Fenner



Source: Google Maps

Ludlow has two existing gas stations that may potentially host NEVI stations (see Figure 4). However, without a more detailed site analysis, it is hard to determine if these existing sites have sufficient power to host DC fast charging stations. Deployment of charging stations at these potential locations will also require site host interest. At this time, California is not requesting an exception at Ludlow and assumes that a NEVI-compliant site will be built there.

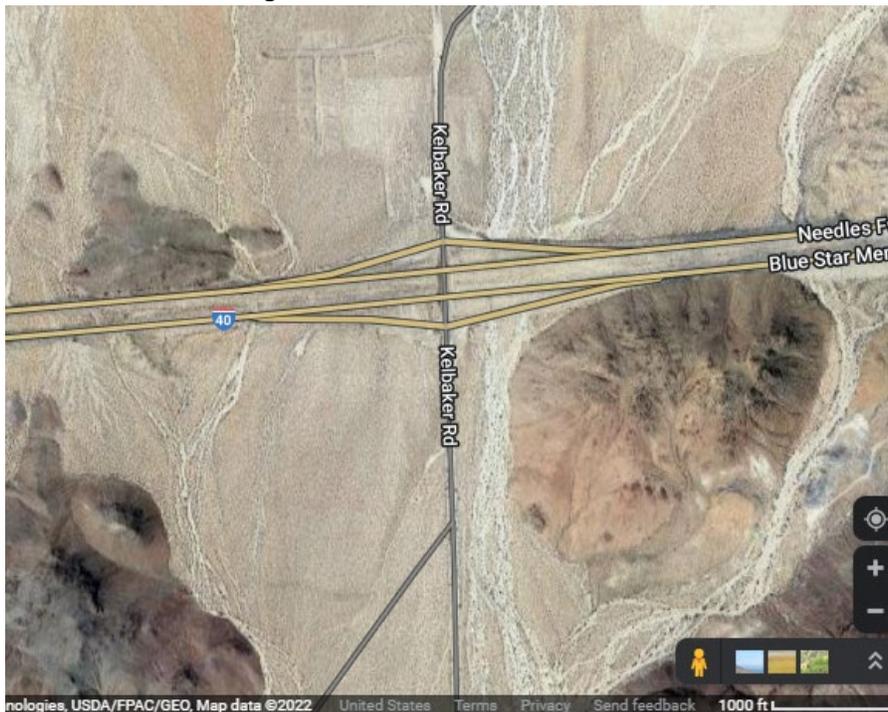
Figure 4: Potential sites at Ludlow



Source: Google Maps

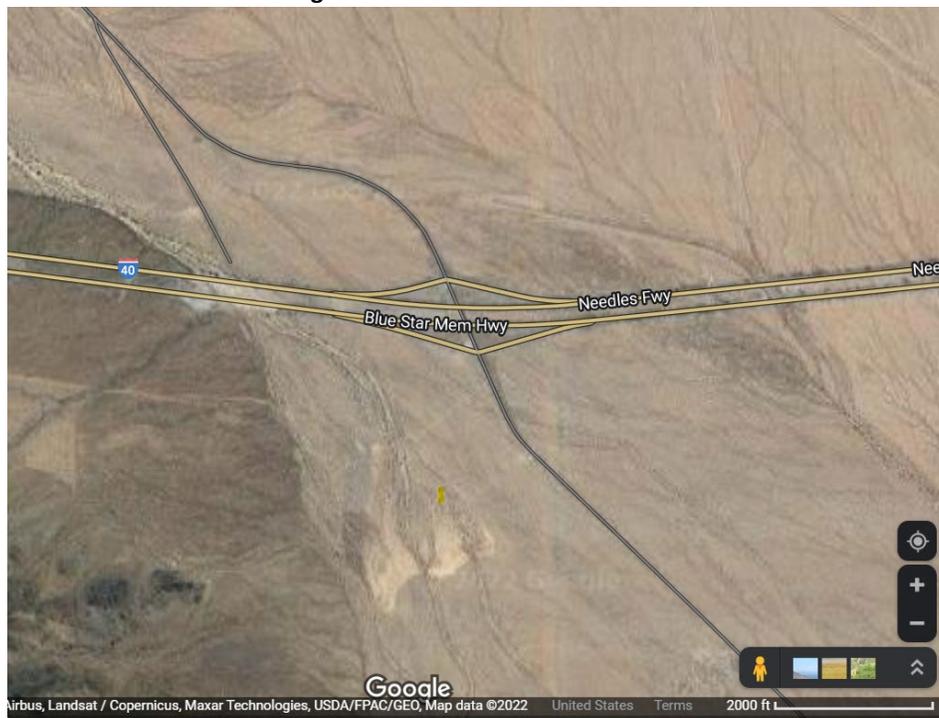
Assuming a site can be successfully built at Ludlow there will still be a 59-mile stretch between Ludlow and Fenner. There are only two highway exits between Ludlow and Fenner, at Kelbaker Road and Essex Road. However, these exits have no amenities available within a 1-mile of the exits (see Figures 5 and 6).

Figure 5: Kelbaker Rd at Interstate 40



Source: Google Maps

Figure 6: Essex Rd at Interstate 40



Source: Google Maps

Deploying a NEVI-site at either Kelbaker Road or Essex Road between Ludlow and Fenner would require development of a brand-new site since there are no amenities at that exit. Further, since there are no other exits in that stretch, it is unlikely there would be any other suitable location to build a NEVI-site. Attempting to deploy a NEVI-site between Ludlow and Fenner (a 59-mile stretch) is likely to pose extraordinary costs to build and operate a station in a location with no amenities available. This could involve major electrical upgrades to deliver sufficient power to support a brand-new station at either of these exits. If a NEVI-eligible station is deployed in Ludlow, with an existing station in Fenner, approval of this discretionary exception will allow this corridor to meet the goals and objectives of NEVI funding with an 8.7-mile deviation from the NEVI requirement of stations being no more than 50 miles apart.