

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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CEC-70 (Revised 11/2021)

**IN THE MATTER OF:**

California's Application to the Federal Highway Administration for the Electric Vehicle Charger Reliability and Accessibility Accelerator Notice of Funding Opportunity Number 693JJ324NF00001

Docket No. 22-EVI-03

NOTICE OF REMOTE-ACCESS WORKSHOP

RE: Information and Methods Needed to Satisfy the Federal Requirements in the Notice of Funding Opportunity

Notice of Joint Workshop with the California Department of Transportation on the Federal Highway Administration's Electric Vehicle Charger Reliability and Accessibility Accelerator Notice of Funding Opportunity

October 20, 2023

10:00 a.m. – 1:00 p.m.

Remote Access Only

See Attendance Instructions.

The California Energy Commission (CEC) and California Department of Transportation (Caltrans) will co-host a staff workshop to introduce and discuss options for satisfying the requirements and schedule for the Federal Highway Administration's (FHWA) recent Notice of Funding Opportunity (NOFO): Electric Vehicle Charger Reliability and Accessibility Accelerator funding initiative (Repair and Replace NOFO).¹

The workshop will be held remotely. The public can participate in the workshop consistent with the attendance instructions provided below. The CEC aims to begin promptly at the start time posted and the end time is an estimate based on the proposed agenda. The workshop may end sooner or later than the posted end time.

Agenda

- Summary of the main requirements and schedule for the Repair and Replace NOFO.

¹ <https://www.grants.gov/web/grants/view-opportunity.html?oppld=350190>

- Presentations by CEC and Caltrans staff on the State’s considerations in developing a successful application that meets the requirements and schedule for the Repair and Replace NOFO.
- Overview of required documentation that electric vehicle (EV) charging networks would need to send to CEC and Caltrans, if an application is submitted.
- Public discussion and comment.

Background

The National Electric Vehicle Infrastructure Formula Funding Program (NEVI) allocates \$5 billion in non-competitive funding to the 50 states over 5 years. Ten percent of the NEVI fund may be used to support states’ implementation of NEVI. FHWA is allocating \$100 million from the NEVI fund to accelerate the repair and replacement of non-operational EV chargers or ports. The NOFO estimates that 6,261 chargers² in the U.S. are listed as non-operational, or “temporarily unavailable” on the National Renewable Energy Laboratory’s Alternative Fuel Data Center (AFDC). In California, the AFDC list shows 1,539 Level 2 (L2) chargers and 168 direct current fast chargers (DCFC) as “temporarily unavailable” as of September 11, 2023.³ Eligible chargers and ports can be repaired or upgraded. CEC and Caltrans are preparing to apply to the Repair and Replace NOFO.

The main components of the Repair and Replace NOFO include:

- EV charging networks have until October 11, 2023 to add chargers to the AFDC list. This will be the final qualifying list of eligible chargers to be considered by FHWA.
- A 2-month application period for States and local agencies that closes November 13, 2023.
- Upgrade and repair work must be complete within 12 months of the date of the agreement.
- EV Charger and port repairs or upgrades must meet the requirements of 23 CFR Section 680, including:
 - 4 x 150 kW ports with CCS connectors
 - 24-hour public accessibility
 - 97 percent uptime reliability over 5 years
 - Use of certified technicians during construction
 - Open access payment methods
 - Note: L2 stations that are replaced or upgraded to L2 stations do not need to include 4 x 150 kW ports with CCS connectors

Information Requirements for a Successful State Application

CEC and Caltrans are working to identify the most efficient mechanism(s) for collecting the information needed to create a successful State application to the Repair and Replace NOFO. Section D of the Repair and Replace NOFO describes the information required for FHWA to determine if a charger repair or upgrade qualifies for funding. These information requirements include:

² The NOFO uses “chargers” and “ports” interchangeably.

³ The September 11 list is available at <https://www.grants.gov/web/grants/view-opportunity.html?oppld=350190>

"Narrative requirements:

- Project description, including location of charger to be repaired or replaced, project cost, evidence of charger being able to be operational within the 12-month period of grant agreement, and plan for ongoing ownership/stewardship. If there is no current owner or operator, provide plans for transferring or assuming ownership for long-term stewardship.
- Description of repair or replacement being made.
- Description of how the project will meet minimum standards and requirements (23 CFR Part 680) (NOFO at page 11)."

CEC and Caltrans intend to assemble a single application that includes the chargers and ports submitted by EV charging networks. Each company can nominate some or all of the eligible chargers on the final AFDC list along with all of the information specified in Section D of the NOFO, including relevant cost, budget, and match information. CEC and Caltrans plan to compile this list of charger projects into a single spreadsheet that will accompany the 5-page state application. On or before the date of the workshop, CEC and Caltrans plan to release a template that will be used to compile this application information and require EV charging networks to use this template to submit information to be part of the state application. This information will be due to the CEC by 5:00 p.m. on October 30, 2023.

It will be the responsibility of each charging network to select their proposed candidate projects, compile and submit the requisite information, and ensure that the project is completed within the 12-month period of performance. The repair or upgrade work can be performed by the companies or a contractor of their choice.

The Repair and Replace NOFO is structured as a non-competitive application; FHWA will assess each candidate project against the eligibility criteria and assign a "Recommend" or "Not Recommend". In accordance with this approach, CEC and Caltrans do not plan to conduct independent assessments on the merits of each candidate project. Proposed projects will be reviewed solely for completeness of information as required in the Repair and Replace NOFO Section D.

Upon the notice of award from FHWA, CEC and Caltrans are considering creating individual agreements with the qualifying EV charger network companies; each agreement would include the EV charger repair and upgrade projects proposed by the various qualifying EV charging network companies.

Potential Impediments to Meeting the FHWA Timeline

CEC and Caltrans have identified two potential impediments to meeting the FHWA timeline:

1. Under some business models, charging equipment is sold to the site host, who is then responsible for maintenance. Securing timely agreements with such site hosts may be challenging.
2. Some candidate projects may require service upgrades that may be difficult to complete within the 12-month period of performance.

CEC and Caltrans would like to understand how EV charger network companies propose to surmount these potential impediments. Responding to these questions is optional and not part of the template discussed above.

Remote Attendance Instructions

Participants may join via Zoom by internet or phone.

- **To join via Zoom.** Click on <https://energy.zoom.us/j/87807289871?pwd=c252Qy8zdWtqMko4UkVqR3NoOEI0dz09> or login in at <https://zoom.us/> and enter the Webinar ID 878 0728 9871 and passcode 650204 and follow all prompts.
- **To join by telephone.** Call toll-free at (888) 475-4499 or toll at (669) 219-2599. When prompted, enter the Webinar ID 878 0728 9871 and passcode 650204.

Zoom Difficulty. Contact Zoom at (888) 799-9666 ext. 2, or the CEC Public Advisor at publicadvisor@energy.ca.gov, or by phone at (916) 957-7910.

Zoom's Closed Captioning Service. At the bottom of the screen, click the Live Transcript CC icon and choose "Show Subtitle" or "View Full Transcript" from the pop-up menu. To stop closed captioning, close the "Live Transcript" or select "Hide Subtitle" from the pop-up menu. If joining by phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors.

Public Comment

The CEC encourages use of its electronic commenting system. Visit the e-commenting page for this docket no. 22-EVI-03 at

<https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-EVI-03>, which links to the comment page for this docket. Enter your contact information and a subject title that describes your comment(s). Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document in Microsoft® Word or Adobe® Acrobat®. The maximum file size allowed is 10 MB.

Oral comments will be accepted at the end of the workshop. Comments may be limited to three minutes or less per speaker and one person per organization. To comment via Zoom, use the "raise hand" feature so the administrator can announce your name and unmute you. To comment via telephone, press *9 to "raise your hand" and *6 to mute/unmute.

Written comments may be submitted to the Docket Unit by 5:00 p.m. on October 30, 2023. Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine. Written comments may also be submitted by email. Include docket number 22-EVI-03 and "FHWA Electric Vehicle Charger Reliability and Accessibility Accelerator" in the subject line and email to docket@energy.ca.gov.

A paper copy may be mailed to:

California Energy Commission
Docket Unit, MS-4
Docket No. 22-EVI-03
715 P Street
Sacramento, California 95814

Public Advisor. The CEC’s Public Advisor assists the public with participation in CEC proceedings. To request assistance, interpreting services, or other reasonable modifications and accommodations, call (916) 957-7910 or email publicadvisor@energy.ca.gov as soon as possible but at least five days in advance of the workshop. The CEC will work diligently to meet all requests based on availability.

Media Inquiries. Email mediaoffice@energy.ca.gov or call (916) 654-4989.

General Inquiries. Email Jim McKinney at: jim.mckinney@energy.ca.gov or call (916) 776-7192, or email Jimmy O’Dea at jimmy.Odea@dot.ca.gov or call (916) 708-3002.

Availability of Documents

Documents and presentations for this workshop will be available at the [22-EVI-03 Docket Log](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-03), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-03>.

When new information is posted, an email will be sent to those subscribed to the National Electric Vehicle Infrastructure Formula Program, the Clean Transportation Program, Solicitations and Awards, and the Disadvantaged Communities Advisory Group subscription topics. To receive these notices, or sign up for other email subscription topics, visit [Subscriptions](https://www.energy.ca.gov/subscriptions), at <https://www.energy.ca.gov/subscriptions>.

Dated: October 10, 2023, at Sacramento, California

Hannon Rasool

Hannon Rasool
Director, Fuels and Transportation Division

Subscriptions: Clean Transportation Program, Solicitations and Awards, Disadvantaged Communities Advisory Group, National Electric Vehicle Infrastructure Formula Program