DOCKETED	
Docket Number:	22-EVI-04
Project Title:	Electric Vehicle Charging Infrastructure Reliability
TN #:	256410
Document Title:	CalETC Comments on Second Draft of EVSE Reporting Regulation
Description:	N/A
Filer:	System
Organization:	CalETC
Submitter Role:	Public
Submission Date:	5/15/2024 3:46:30 PM
Docketed Date:	5/15/2024

Comment Received From: CalETC
Submitted On: 5/15/2024
Docket Number: 22-EVI-04

CalETC Comments on Second Draft of EVSE Reporting Regulation

Additional submitted attachment is included below.

CalETC
California Electric Transportation Coalition

May 15, 2024

California Energy Commission
California Department of Transportation
Re: Docket No. 22-EVI-04

Submitted electronically to https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-EVI-04

Re: Second Draft of the Regulations for Improved EVSE Inventory, Utilization, and Reliability Reporting

The California Electric Transportation Coalition (CalETC) appreciates the opportunity to provide comments on the second draft of the Regulations for Improved EVSE Inventory, Utilization, and Reliability Reporting (Draft Regulations). CalETC would like to thank the CEC for all your hard work on developing the Draft Regulations and commitment to meeting California's goals with reliable charging infrastructure.

CalETC supports and advocates for the transition to a zero-emission transportation future to spur economic growth, fuel diversity and energy independence, contribute to clean air, and combat climate change. CalETC is a non-profit association committed to the successful introduction and large-scale deployment of all forms of electric transportation. Our Board of Directors includes representatives from: Los Angeles Department of Water and Power, Pacific Gas and Electric, Sacramento Municipal Utility District, San Diego Gas and Electric, Southern California Edison, Southern California Public Power Authority, and the Northern California Power Agency. In addition to electric utilities, our membership includes major automakers, manufacturers of zero-emission trucks and buses, electric vehicle charging providers, autonomous electric vehicle fleet operators, and other industry leaders supporting transportation electrification.

CalETC supports the Draft Regulations and believes they are a good first step toward improving charger reliability, the accuracy of the state's charging needs forecasts, and improving grid planning. CalETC appreciates the CEC's candor about needing better data on charger inventory and utilization to improve the estimate of the state's charging needs and reporting on reliability to inform the reliability standards. CalETC also appreciates CEC's recognition that a successful charging experience relies on coordination between multiple stakeholders, including EV charging equipment manufacturers, charging network operators, automakers, utilities, payment processors, EV drivers, and more. To that end, we recommend that the CEC review these regulations every two years to ensure that the requirements are well tailored to the industry, not overly burdensome, and produce useful data streams to improve reliability and charger forecasts.

CalETC recognizes that uptime and successful charge attempt rate (SCAR) requirements are just one part of a larger strategy to improve the charging experience in California. From an EV driver's perspective, a convenient and reliable charging experience is paramount. Uptime and SCAR are

important metrics for studying and benchmarking reliability, but we must ensure that we continue to focus on addressing the root causes of unreliable chargers. We commend the CEC for recognizing the need to standardize error codes to get more clarity on root causes and how to address them.

We support the 97% uptime standard and the 90% SCAR standard. For the SCAR standard, we recommend removing the requirement that a charging session last for 5 minutes or longer to be considered a successful charge. A time requirement is arbitrary and does not account for any charging sessions that fail after 5 minutes. Instead, a successful charge should be measured based on a charge of any duration as determined by the timestamps described in section 3124(e)(2) that is not ended by a defined set of error codes. Additionally, we recommend that the CEC create and maintain an index of its funding programs that (i) shows how much of the current CEC and Federal NEVI funding is subject to the uptime and SCAR requirements and (ii) provides a percentage of deployed infrastructure that is subject to these requirements. This will demonstrate to stakeholders, legislators, and the public how much of California's charging infrastructure is subject to existing reliability requirements.

CalETC recommends limiting data reporting requirements for non-networked chargers to only inventory data, regardless of whether the chargers were funded by a state or ratepayer funded incentive. An essential component of reaching the state's 2030 EV charging targets relies on property owners voluntarily installing EV charging for EV drivers, such as for multi-family residents, employees at workplaces, and commercial fleets. Any additional requirements to these property owners and businesses should carefully weigh the public benefit with the added administrative burden and likelihood that property owners may choose not to pursue EV charging as a result. Therefore, these regulations should seek to minimize the effort required of EVSE site hosts, particularly for owners of non-networked EV chargers, at all charging levels. Requiring property owners and businesses to fill out detailed uptime, utilization, and other reporting metrics for non-networked chargers is administratively burdensome and creates a risk that these requirements will discourage site hosts from voluntarily deploying EV charging. Therefore, we recommend limiting non-networked chargers to inventory reporting regardless of whether the charger was funded by a state or ratepayer incentive.

CalETC also recommends limiting data reporting for behind-the-fence non-public fleet charging facilities to only inventory data, regardless of whether the chargers were funded by a state or ratepayer funded incentive. California needs to rapidly expand the use of battery electric light-, medium-, and heavy-duty vehicles to meet the goals set out in Advanced Clean Cars II, Advanced Clean Trucks, and Advanced Clean Fleets Rules. Fleet owners will need to install a significant number of chargers at their depots, and these chargers will not be available to the public. All fleet owners will be highly motivated to keep those chargers up and running and hold a charging service provider accountable for any unreliability. CalETC believes the burden of reporting utilization and/or reliability data is greater than the benefit to the public because these chargers will not be utilized by the public, and therefore, reporting should be limited to inventory data.

CalETC recommends establishing a process to share non-confidential inventory data with the utilities to improve grid planning and recommend including a utility service provider(s) designator as part of the inventory reporting. The location and power level of chargers are critical data points in the grid planning process. Including a utility service provider designator would allow the data to be easily sorted by utility and non-confidential data requests by a utility could be easily fulfilled. Providing easy access to inventory data will help utilities track their progress towards meeting the AB 2127 Report's targets and improve utility forecasting and planning grid upgrades where large numbers of chargers are being located.

Relatedly, CalETC appreciates that the CEC added safeguard provisions for confidential data and recommends that all charger-level utilization and reliability metrics be deemed confidential to avoid anti-competitiveness concerns. To the extent the CEC chooses to release public information on reliability metrics, CalETC encourages CEC to focus on aggregated reliability metrics that provide a greater overall understanding of charging network performance.

CalETC recommends including language in the regulation that allows charging network providers to set the terms and conditions of the data that they are required to share with third-party software developers. As currently drafted, Section 3130 creates the impression that charging networks must provide this data to third parties ***with no conditions***. If there are no conditions related to data privacy, use, and protection, it creates several risks, including but not limited to:

- Third parties would not be bound to use the data as is intended by this regulation – to develop a free public facing mobile app that helps drivers find and use charging stations.
- Third parties could use the data to estimate charger utilization and use that information to their advantage to then compete against the companies they received the data from.
- Third parties could sell any and all of the data to any other party.

Such scenarios leave charging networks vulnerable to unfair competition from these entities. Therefore, CalETC recommends adding a provision to section 3130 as follows: "nothing in this section prohibits charging network providers from setting terms and conditions when sharing their real-time data." This simple disclaimer would protect charging network providers from potential misuse of their real-time data or other predatory business practices.

CalETC also recommends aligning the operative status data reporting requirements for publicly and/or ratepayer-funded networked chargers installed on or after January 1, 2026 with the operative status data reporting requirements for publicly and/or ratepayer-funded networked chargers installed between January 1, 2024 and December 31, 2025 as specified in §3125(c). Collecting near real-time operative status is challenging for at least two reasons. First, raw OCPP logs may contain personally identifiable information (PII) that needs to be removed, and we do not believe the CEC's intent is to collect PII from operative status messages. Second, OCPP messages do not provide a complete picture of a charger's uptime. For example, dual-port chargers that do not support simultaneous charging will set the second, unused connector as "Unavailable" when

the other connector is in use. However, this message does not mean that the second connector is "down" or inoperative but rather means that it cannot be used while the other connector is actively charging an EV. CalETC instead recommends that CEC require EV charging providers to retain OCPP logs and, at the request of the Executive Director, provide that data to the CEC within 21 business days of the request as specified in Section 3125(c). This approach is aligned with existing CEC grant agreements and allows electric vehicle service providers (EVSPs) to remove sensitive customer data from OCPP logs while providing CEC with additional information in circumstances where it determines validation is needed.

Finally, we recommend removing or lengthening the caps on preventative maintenance and vandalism or theft in excluded downtime. At this early stage of the regulation, we recommend collecting data on how long it takes for maintenance and repairs to occur and then determining what an appropriate cap should be. CalETC is concerned that upholding a maximum for excluded downtime may increase costs for preventative maintenance and discourage EV charging providers from developing charging infrastructure in areas that experience repeated instances of vandalism and equipment damage outside of the EVSP's or site host's control. Moreover, supply chain shortages have lengthened the time to receive replacement parts and we are concerned that EVSPs and site hosts will be unfairly penalized when they are diligently working to repair broken chargers.

Thank you for your consideration of our comments. Please do not hesitate to contact me at kristian@caletc.com should you have any questions.

Kind regards,

Kristian Corby, Deputy Executive Director
California Electric Transportation Coalition