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Additional submitted attachment is included below.

October 1, 2020

Docket No. 17-EVI-01
-Via e-file-

California Energy Commission
Docket Unit, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512

RE: Greenlots Post-Workshop Comments on CALeVIP Future Project Designs and Requirements

Dear Commissioners and Staff,

Greenlots submits these comments in response to the California Energy Commission's ("CEC" or "the Commission") proposals presented by staff at the workshop held on September 17, 2020 regarding CALeVIP project designs and requirements.

Greenlots is a leading provider of electric vehicle ("EV") charging software and services committed to accelerating transportation electrification in California, and a wholly owned subsidiary of Shell New Energies. The Greenlots network supports a significant percentage of the DC fast charging infrastructure in North America, and an increasing amount of Level 2 infrastructure. Greenlots' smart charging solutions are built around an open standards-based focus on future-proofing while helping site hosts, utilities, and grid operators manage dynamic EV charging loads and respond to local and system conditions.

Below Greenlots responds to several of the proposals presented at the September 17, 2020 workshop.

Process Improvements

Greenlots appreciates the Commission's recognition of the challenges associated with the current program design and structure, which has strained programmatic budgets and unintentionally introduced perverse incentives that cause applicants to attempt to "game" the application process. This in many cases has made the prospect of CALeVIP incentive support for any particular project a significant unknown – which seems counter to the vision of the current program design that has tried to prioritize funding accessibility. This uncertainty then can make program incentives a financial sweetener or adder to projects that would likely be developed anyway, instead of largely supporting the development of projects that wouldn't be built otherwise. Accordingly, there is significant opportunity to reimagine the current application process well beyond the modifications proposed at the workshop.

Greenlots strongly recommends introducing more competitive elements to help limited state funding go further, which would also provide an incentive for higher quality products, services, and projects. Relying entirely on a site-host focused, rebate-based, first come, first served structure has supported relatively rapid deployment, but has not adequately introduced competitive forces into the program, either in relation to project or site selection, or in relation to the procurement of charging services. Relying solely on this program design rewards applicant speed rather than project quality. While speed and access to financing are valuable program elements, and indeed CALeVIP has been very effective in supporting the deployment of charging infrastructure, the current design does not incentivize applicants to shop around for charging solutions that are potentially of the greatest value or best fit their needs. Instead, the current model favors the solution that customers can most readily identify and/or that may have the lowest up-front cost. Unfortunately, this is misaligned with supporting an innovative and competitive marketplace for quality products and services.

As part of a reevaluation of the CALeVIP program structure, the Commission could consider mechanisms to aggregate demand for EV charging, similar to community solar programs, or community or neighborhood bulk purchase programs, and then have providers pursue those opportunities through competitive solicitations. This would drive higher quality solutions, attract greater participation and potentially corresponding participant investment, and better leverage state funds. Requiring that site hosts develop and submit a load management plan, for example, would be another relatively easy method to introduce a mechanism that values, incentivizes, and supports related technology and beneficial charging.

Better Serving Priority Populations

Greenlots is a strong supporter frequently commenting on the imperative of ensuring equitable access to transportation electrification. Much more must be done to realize the vision of equitable access, and the state has made this a central focus amongst broader transportation electrification efforts. Accordingly, Greenlots strongly supports the proposed rebate adders and funding minimums for Disadvantaged and Low-Income Communities (DACs & LICs). In fact, it may be appropriate to explore increasing the minimum DAC/LIC investment beyond the proposed 35%. Aside from the direct purpose and benefits, this change likely could also serve to ease the strain on the CALeVIP budget of the current program design and related application process by adding an additional tollgate requirement to a larger percentage of funds disbursed.

Proposed Electric Vehicle Infrastructure Training Program Certification (EVITP)

On September 30, 2020, Governor Newsom signed AB 841 (Ting), which contains provisions related to EVITP. This action brings the Commission and stakeholders clarity regarding both the need and timeline for compliance with this new statute, which takes effect January 1, 2021.

Given that this requirement will now be part of state law, Greenlots does not at this time see need for additional or differentiated requirements related to EVITP within CALeVIP. Accordingly, Greenlots recommends that the Commission point to and require compliance with the statute, as it proposes doing for CARB's SB 454 regulations[1] and the DMS regulations.[2] Just as the Commission isn't proposing specific enforcement mechanisms with these other two regulations, the Commission should not need additional requirements to enforce this new statute.

Proposed Equipment Requirement Changes

During the workshop, Staff proposed a single equipment requirement change that contemplates expanding CALeVIP to provide incentives for proprietary charging technologies.

Tesla's extremely positive impact on the electric vehicle market and the California economy cannot be understated. The company has played a leading role in creating the market that exists today for electric vehicles, is one of the largest manufacturing employers in the state, and its vehicles represent one of California's largest exports. Moreover, it has by far the most electric vehicles on California's roadways, as well as the Nation's. Accordingly, it is reasonable to contemplate incentivizing Tesla chargers within CALeVIP if doing so can be accomplished within the goals, technical vision, and grid integration pathway so essential to the program and the state.

The Commission and stakeholders need appropriately explore a series of potential implications before a determination. Greenlots was surprised to see that Staff's slides presented during the September workshop did not address the impetus, benefits, or implications of what would be a significant programmatic change. Additionally, such a proposal had not been previously proposed or presented in any past workshop on future technology requirements held by the Commission.[3]

To be clear, Greenlots does not oppose Tesla's potential eligibility to receive CALeVIP charging infrastructure incentives. Indeed, Greenlots would be supportive of Tesla's inclusion in CALeVIP following adequate discussion, consideration, and resolution of a variety of important questions and implications. Issues that should be explored include:

- The impact of such a decision on a limited CALeVIP budget and application process that already is known to see funds disappear within minutes of program opening.

[1] See session 2 slide 11.
[2] See session 2 slide 12.
[3] These include past workshops on CALeVIP equipment technology requirements held on June 28, 2018, and November 18, 2019, the CALeVIP Projects Roadmap workshop held on October 4, 2018, and the CALeVIP 2021 Incentive Projects Planning workshop, held on October 23, 2019

- The extent to which Tesla charging infrastructure availability is hampering Tesla sales, Tesla vehicle adoption, or Tesla drivers' ability to freely move and have adequate charging access across the state compared to other EVs that CALeVIP-funded infrastructure is currently supporting and cannot utilize Tesla's private network of chargers.

- Whether or to what extent an individual EV company's proprietary charging solution – proprietary by conscious and continued strategy that made the conscious and continued decision to use a proprietary charging solution – and the market leader by a significant margin no less – is or to what extent should be supported by CALeVIP and the State of California should incentivize or subsidize with public funds.

- Whether this action would result in additional or additive Tesla chargers, or whether this would replace or be incorporated into Tesla's existing infrastructure efforts which might occur regardless.

- Who will be able to procure, resell, and install Tesla charging equipment, or whether this would exclusively or essentially just be Tesla.

- How Tesla charging infrastructure will comply with CALeVIP's existing "Open Source Protocol" requirement.

- How this decision may affect the Commission's other CALeVIP efforts to work towards standardization in communication protocols as discussed during past future technology workshops.

- Whether and to what degree Tesla charging infrastructure will comply with the CARB payment interoperability and labeling requirements that all other CALeVIP-funded charging infrastructure must comply with, as presented and discussed during the workshop.[4]

- How charging via Tesla infrastructure can or will be able to participate in vehicle-grid integration, load management, and aggregation programs using open standards and protocols, now and in the future, in support of state EV load management and grid integration goals.

- How Tesla's inclusion will or will not affect CEC's other future technology proposals for CALeVIP that have been discussed or planned, including those related to ENERGY STAR, Open Charge Point Protocol, and ISO 15118.

[4] See session 2 slide 11.

Unfortunately, seemingly neither the state nor stakeholders have yet had the benefit of analysis of these many important issues and considerations. Surprisingly none of this was addressed at the workshop. Greenlots expects and strongly recommends appropriate exploration of the identified bulleted topics above prior to a final determination to extend CALeVIP eligibility to Tesla charging equipment. There may also be a reasonable discussion to be had as to whether Tesla charging infrastructure should be incentivized at a different level than other charging equipment that must meet a variety of requirements if it is determined that Tesla equipment cannot meet all of the goals, technical vision, and grid integration pathway of CALeVIP.

Accordingly, Greenlots recommends this issue be taken up alongside the other implicated and interrelated future technology issues at the time at which the Commission addresses and workshops that broader set of issues. Again, Greenlots does not oppose and could be supportive of Tesla's inclusion in CALeVIP, however this must be done following an adequately robust discussion and analysis of a variety of implicated technology and programmatic equity considerations.

Conclusion

Greenlots looks forward to continued participation in this process and helping to enhance CALeVIP. Greenlots thanks the Commission for consideration of these comments, and its ongoing efforts to support transportation electrification and advanced mobility.

Respectfully submitted,

Thomas Ashley
VP, Policy & Market Development