

DOCKETED

Docket Number:	22-EVI-04
Project Title:	Electric Vehicle Charging Infrastructure Reliability
TN #:	247431
Document Title:	EVSP Charging Coalition Comments
Description:	N/A
Filer:	System
Organization:	Cory Bullis
Submitter Role:	Public
Submission Date:	11/11/2022 4:44:24 PM
Docketed Date:	11/14/2022

*Comment Received From: Cory Bullis
Submitted On: 11/11/2022
Docket Number: 22-EVI-04*

EV Charging Coalition Comments

Additional submitted attachment is included below.



November 11, 2022

Mr. Dustin Schell
Air Resources Engineer
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814
Docket: 22-EVI-04

Re: EVSP Coalition Comments on a Reliability Standard for Publicly Funded EV Chargers

Dear Mr. Schell,

Thank you for the opportunity to comment on the California Energy Commission's (CEC) EV charging reliability standards workshop. Collectively, we represent a collection of companies that manufacture, install, operate, and maintain charging stations and management software. We strongly support a robust standard that ensures a positive consumer experience and promotes strong stewardship of public investment. With the passage of Assembly Bill 2061 (Ting), California once again has an opportunity to lead by example by creating the most comprehensive, robust EV charging reliability standard to serve as a model for other states. While the CEC will not begin its official rulemaking until early 2023, we seek to provide your agency technical guidance to help support its development.

Thank you for your consideration.

1. **Ensure consistency with Federal Highway Administration's NEVI reliability standard to the extent practicable**

The Federal Highway Administration has proposed the following reliability elements as part of its draft standards for Title 23 programs, including the National Electric Vehicle Infrastructure (NEVI) Formula Program:

- Each charger must meet an uptime of 97 percent or greater.
- A standardized formula to calculate uptime
- Consistent reporting of each charger’s uptime
- Allows upstream infrastructure failures (WiFi, cellular, and grid) to be exclusions to the uptime calculation.

We not only support these draft requirements, but strongly encourage the CEC to align its reliability requirements with the FHWA’s standards, once finalized, to the extent allowed by AB 2061 (Ting). This helps ease charging providers’ ability to comply with standards across jurisdictions — especially considering that other states are likely to follow California’s lead in the future. Given that California will administer \$384M in FHWA funds to deploy charging stations over the next five years, this will also create a more consistent charging experience for drivers within the state.

FHWA’s NEVI Formula Program also allows operations and maintenance to be an eligible expense — we also strongly encourage the CEC to enable this to be an eligible expense across state incentive programs it administers, which will help ensure projects it supports will have the appropriate funds necessary to properly maintain chargers.

2. Consider critical additions to and differentiations from FHWA’s proposed standard

We also strongly encourage the CEC to incorporate additional features into its proposed reliability standard:

- Allow vandalism, force majeure, and preventive maintenance to qualify as exclusions to the uptime calculation. AB 2061 (Ting) explicitly authorizes vandalism to be an allowable exclusion, and force majeure is commonly understood as capturing issues that were completely unforeseeable (i.e. extreme weather events, an earthquake, etc.) and therefore impossible to avoid.
- FHWA’s definition of “uptime” states that a charger is considered “up” when its software and hardware are both “online.” We recommend the CEC’s definition of “uptime” use the word “operable” instead, as it is more technically accurate and better captures hardware in the definition as opposed to “online.”
- To ensure precision with uptime calculations, require funding recipients to measure uptime by the minute instead of hour (no less than 15-minute intervals).
- For common repairs and downtime events, require a 48-hour response time as opposed to a 48-hour resolution period immediately following a reported issue.
- If the funding recipient is not the charging provider, require the funding recipient to have a service level agreement in place with the charging provider(s) that meets or exceeds the

standard. This ensures funding recipients are better equipped with the resources needed to maintain chargers in compliance with the CEC's standard.

3. **Do not allow supply chain and labor shortages, nor vehicle interoperability issues, to qualify as excluded downtime events**

Supply chain and labor shortages are ultimately temporary, short-term issues that more than likely will be resolved by the time the CEC finalizes these standards. Regardless, these issues are hard to document and prove — how can the CEC effectively determine that a charger would be otherwise operational if not for these constraints? The same is applicable to vehicle interoperability issues — it is extremely difficult to prove whether an interoperability issue was due to the vehicle or the charger. In sum, because these issues are hard to prove, the CEC risks them being improperly used or even abused, diluting the rigor of its reliability standard.

4. **Coordinate with the Open Charge Alliance (OCA) on Open Charge Point Protocol (OCPP)-implicated proposals and potential requirements**

Several elements of the CEC's proposal implicate OCPP and potential refinements to how charging providers use it to communicate error and fault codes, which could increase nomenclature standardization. The proposal also addresses related reporting and data communication intervals. The CEC has not only supported the proliferation of OCPP but it has also funded in-state OCPP third-party conformance testing through the establishment of the ViGIL lab in Concord, run by DEKRA. Accordingly, the CEC should engage OCA and collaborate around these proposed requirements to ensure they adequately and best address their intent. Importantly, the CEC should also work with OCA to ensure that third-party OCPP conformance testing, which the CEC will require for its incentive programs starting next year, adequately encapsulate and test conformance for reliability-implicated OCPP elements.

5. **Field inspections have value, but more development is needed**

We recognize and see value in the CEC's proposal to conduct field inspections of chargers. Such inspections would help the CEC better understand charger reliability as part of the assessment required by AB 2061. However, because field testing methodologies for charger reliability are still nascent, we encourage the CEC to further research this area and present a more detailed methodology for stakeholder feedback at a public workshop before implementing.

6. **Site access restrictions permitted under incentive agreements should not count against any uptime calculation**

Public incentive programs allow chargers, most commonly Level 2 stations, to be deployed at sites that are not accessible to the public 24/7 (i.e. a downtown parking garage that is closed 12-6 am). Because such site access restrictions are explicitly permissible via incentive agreements with funding recipients, we want to ensure this does not count against how a charger's uptime is calculated. Because reliability is

typically understood as the operability of a charger’s software and hardware, site access restrictions would not be an appropriate input into calculating or understanding the uptime of a charger.

7. **Performance Standards Minimum Rate Requirements**

We encourage the Commission to provide more information on the intent to incorporate a minimum payment success rate of the EVSE as a separate metric area. We recognize that the payment systems may need to improve but we want to ensure that the payment systems errors/success are part of the overall EVSE uptime calculation.

Sincerely,

Cory Bullis
Public Affairs Director, US
FLO EV Charging

Samantha Ortega
Manager, Government Relations
ChargerHelp!

Heidi Sickler
Director of Policy
BP Pulse Fleet

Mike Smith
Head of Product and Policy Development
Xeal Energy