September 19, 2022

California Air Resources Board

1001 I Street

Sacramento, CA 95814

**ChargePoint Comments on the August 18, 2022 LCFS Public Workshop**

ChargePoint would like to thank the California Air Resources Board (CARB) for hosting the public workshop on potential changes to the Low Carbon Fuel Standard (LCFS) on August 18 and the opportunity to provide comment. ChargePoint is one of the world's largest EV charging networks and solution providers with more than 200,000 Level 2 and direct current fast charging (DCFC) stations on its network. ChargePoint designs, manufacturers, and sells networked charging solutions and works with major employers, municipalities, utilities, fleet operators, real estate developers, and investors to deploy and operate charging stations across North America and Europe to enable the electrification of transportation.

ChargePoint is a strong supporter of the LCFS and its ability to attract investment in clean energy and infrastructure to bring about emissions reductions in the transportation sector. Below please find ChargePoint’s perspective on several issues raised in the August 18 workshop, as well as thoughts on potential modifications to the Clean Fuels Rewards fund aimed at creating more certainty and longevity within the fund.

**(1) Source data and methodology for calculating residential base credits**

To align with broader California regulations and agencies, CARB should consider the use of EVSE data as the underlying data source to estimate kWh from home charging per vehicle to inform base credit generation under the program. As the agency navigates the landscape of sources, CARB should adopt the highest quality of datasets to inform decision making processes. Recently, the California Public Utility Commission (CPUC) ruled that networked charging data meeting the standards of National Institute of Standards and Technology (NIST) Handbook 44 is an acceptable substitute to standard utility meter data and available at a lower cost when it adopted EVSE submetering protocols. In doing so, the CPUC established clearly defined accuracy standards for EVSE metering which are aligned with NIST Handbook 44 and California Department of Food and Agriculture – Department of Weight and Measures’ (CDFA-DMS) EVSE regulations.[[1]](#footnote-1) Importantly, the CPUC determined that it is premature to utilize vehicle telematics for EV submetering. While vehicle telematics can be one source of data, this data may not reflect the most robust dataset. To our knowledge, at present within the automotive industry there are no industry-wide collection standards for the quality or accuracy of data within vehicle telematics. CARB should align itself with the recent CPUC ruling and leverage network charging data as the source. While ChargePoint understands that networked charging may not capture all data points, they will provide the clearest and most robust picture into future decision making for the LCFS program. Whatever data source CARB ultimately decides on, that source should be standardized across original equipment manufacturers and there should be industry wide standards in place to ensure accuracy.

**(1a) Consider implementing an income threshold for the clean fuels reward program, or rebate networked home chargers**

Residential base credits under the LCFS makeup the majority of on-road electricity credits and are an important source of funding to expand electrification in California. The Clean Fuels Reward Program has provided helpful vehicle rebates to date; however, the longevity of the fund has recently been called into question as the fund has dipped below minimum reserve balance requirements. ChargePoint supports vehicle rebates but also believes that in order to ensure a sustainable funding source, the program may need to be tweaked. CARB could consider implementing an income threshold and shifting a portion of funds to an EV Home Charger Reward Program, which could include funds for single family and multifamily charging. Implementing an income threshold so that the fund only targets low-income individuals will better target the funds to those who may need it most. Furthermore, a top hesitancy to purchasing an EV is the lack of charging infrastructure at home. CARB may consider funding options to decrease the cost of a networked charger as opposed to the vehicle; this will have the added effect of providing utilities with better quality data on EV charging to support LCFS credit calculations and other utility planning activity. Funds allocated to lower income individuals or multifamily properties also targets disadvantaged communities.

**(3) Technology phaseouts – Proposed phaseout of electric forklifts**

As CARB considers the phaseout of alternative fuel technologies, such as the proposed phase out electric forklifts, CARB should consider broader ramifications beyond any one technology and contemplate how investors will respond. Investors and project developers require long-term visibility and financial certainty into investments. Technology phaseouts, which we acknowledge may be merited at times to preserve balanced credit markets, should be signaled early and allow for a gradual phased out. We would urge transparent and gradual offramps to ensure investments are not stranded nor discouraging to investor participation in other projects.

**(4) Third-party verification**

Regarding verification of on-road electricity credits, ChargePoint urges CARB to consider the use case, nature of credits generated from networked EV charging systems, and the materiality of reporting risk. With recently implemented rules for Level 2 charging and upcoming rules for DCFC’s adopted by the California Division of Measurement Standards, the electricity dispensed from networked charging is tracked and recorded using highly accurate utility grade meter equipment that conforms to the NIST Handbook 44 Section 3.40[[2]](#footnote-2). The standards set by NIST are backed by a consortium of government and private individuals who have expertise in the development of standards for technology reporting. The data collected by network charging is stored and reported using robust, secure cloud-based software. This is materially different than a large biofuel production facility where there is typically little standardization across facilities, and there are more moving pieces and more physical hardware involved, thus more potential for error. Mandating verification will reduce net revenues available for investment/reinvestment (a program design element unique to EV charging LCFS credit participants) and could deter participation.

ChargePoint acknowledges the growing supply of on-road electricity credits and the need for certainty regarding the accuracy and robustness of credit reporting. ChargePoint also submits that there are existing industry standards in place to ensure the robustness of data for key elements of EV charging credit reporting. Should CARB move to mandate verification of on-road electricity credits, we urge CARB to engage industry in the design of any verification requirements to ensure the methodologies reflect the technology while balancing the materiality of risk with administration of verification activity. CARB should adopt already existing industry standards that provide security and confidence in reporting and data collection. Furthermore, the recent CPUC Decision 22-08-024 will ensure that tracking of electrical usage data will be within a narrow margin of error and backed by rigorous testing and control.

Thank you for considering our comments. ChargePoint looks forward to continued participation in this rulemaking.

Sincerely,



Evan Neyland

Senior Manager, Carbon Markets

ChargePoint

1. *See* CPUC Decision22-08-024, Decision Adopting Plug-In Electric Vehicle Submetering Protocol and Electric Vehicle Supply Equipment Communication Protocols. (August 4, 2022) [↑](#footnote-ref-1)
2. *See* California Code of Regulations, Title 4 Business Regulations, 3.40 Electric Vehicle Fueling Systems [↑](#footnote-ref-2)