



April 25, 2022

Mr. Debebe Dererie
Ms. Abbey Brown
Ms. Rachel Assink
Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Re: EV Charging Coalition Comments on Dept. of Ecology’s Latest Draft Rulemaking Language for the Clean Fuels Program Rule

Dear. Mr. Dererie, Ms. Brown, and Ms. Assink,

Our companies (“EV Charging Coalition” or “Coalition”) represent over 90 percent of the EV charging market and have extensive experience designing, manufacturing, installing, and operating EV charging stations. We thank the Department of Ecology’s (“Department”) critical work designing and implementing Washington’s Clean Fuels Program. A carefully designed rule will provide critical resources to our industry to rapidly scale charging station deployment in support of the state’s EV adoption goals.

As a follow up to the April 13th workshop, the coalition offers the following comments and recommendations to the rule’s latest draft language, per the April 13 workshop.

- 1. We support defining “multi-family housing sites” as “non-residential electric vehicle charging” (page 12).**

As EV adoption increases, multi-family housing (MFH) will be an increasingly important segment to serve with charging stations. If the state does not take measurable steps to incentivize deployment at MFHs, it will exacerbate existing issues of equitable access to EVs and charging. Unfortunately, installing EV charging can be extremely challenging and complex, for a multitude of reasons: (1) insufficient access to power, (2) crucial infrastructure upgrades being costly, (3) building owners or property managers do not understand the value proposition of EV charging, (4) renters lacking access to dedicated parking, and (5) property governance rules making it difficult to install stations in common areas, to name a few.

The most important tool the state can use to potentially overcome these challenges is to directly motivate the building owner or property manager to install EV charging through financial incentives. This serves as a critical reward to site hosts for their investment – and given their central role in deciding whether or not to install stations at MFHs, the state must prioritize motivating them first and foremost through market signals. Giving MFH developers more tools and incentives to install charging stations at MFH properties will also expedite the electrification of ridesharing fleets, which often see higher utilization rates per vehicle. Transitioning these vehicles to electric will net greater emissions reductions than the average passenger vehicle. Ridesharing drivers often live at MFH properties where the lack of home charging is a major barrier to EV adoption.

2. We support including capacity credits for DC fast charging in this initial rulemaking (page 103).

Given the rapid scale of EV and charging deployment needed for the state to achieve its climate and GHG emission reduction goals, the Department must use every tool available in this initial rulemaking to accelerate station deployment now. The ZEV infrastructure pathway, otherwise known as Fast Charging Infrastructure (FCI) Pathway, as shown in California’s Low Carbon Fuel Standard, is an extremely important, complementary tool that incentivizes greater DC fast charger infrastructure for the public. Publicly available DC fast chargers provide charging access to drivers that otherwise do not have access to home charging. Robust public charging helps mitigate drivers’ range anxiety by giving them confidence that they will always have a convenient place to charge when they are not at home.

By implementing FCI on day 1 of the program, Washington state will be able to actualize its infrastructure goals and electrification investments and benefits more expeditiously.

3. We support maintaining simplified reporting requirements to claim credits.

Many site hosts and charging companies are small businesses and start-ups; they do not necessarily have sufficient staff to engage in significant administrative activities related to reporting and verification requirements to claim credits. We strongly encourage the Department to keep this in mind as it determines any related requirements. Additional administrative layers, such as requiring site hosts and charging companies to enter into supplementary contracts beyond the typical agreements they already have in place, or other reporting requirements, will increase industry’s soft costs and dilute the value of credits. Oregon’s reporting structure and

requirements (i.e., station owner or service provider as first reporting entity) serves as a model that achieves a well-balanced middle ground; we encourage the Department to mirror those requirements and reporting timelines for its own program.

4. We support making 2023 a compliance year instead of a reporting year.

Once again, given the rapid pace and scale needed to achieve the state’s climate and EV adoption goals, we strongly support the Department making 2023 a compliance year and requiring a 20% reduction in the carbon intensity of transportation fuel by the earliest allowable date - 2034. This will help the state achieve its long-term goals more quickly; given the success of California and Oregon’s respective clean fuels programs, we see no benefit in waiting, and the West Coast transportation fuel market is already accustomed to clean fuels programs from over a decade of experience in California, Oregon, and British Columbia.

5. We support specifying incremental crediting for non-residential charging.

The Coalition asks that the Department be more explicit in the final rule that incremental credits may be generated for non-residential charging and that the same entities generating the “base” credits for non-residential charging also be designated as the credit generator for the incremental credit. The current draft language in WAC 173-424-220 (7)(b) explicitly mentions incremental crediting for residential charging but says nothing of non-residential charging.

Finally, we ask that the Department consider loosening the eligibility criteria for renewable energy certificates (“RECs”) under the program to allow RECs from generators placed into service in 2023 or later. The current requirement of 2024 or later means no off-site renewable electricity will be utilized in year 1 of the program. This change will not materially affect additionality and the program will still create a strong incentive to invest in new renewable energy capacity.

Thank you for your consideration,

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