



AMPLY Power, Inc. www.amplypower.com
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April 25, 2022

Debebe Dererie
Rulemaking Lead
Washington Department of Ecology
Olympia, WA 98504

Re: Washington Department of Ecology’s Clean Fuels Program Rulemaking

Dear Mr. Dererie:

AMPLY Power, Inc. (“AMPLY”) respectfully submits these brief comments responsive to the Washington Department of Ecology’s Clean Fuels Program (“CFP”) rulemaking process.

I. Introduction

AMPLY was pleased to support HB 1091 (Fitzgibbon) in the 2021 Washington legislative session. HB 1091 established a Washington CFP, which will help the state meet its commitment to reduce greenhouse gas (“GHG”) emissions by 45 percent below 1990 levels by 2030 (RCW 70Z.45.020).¹ AMPLY supports a Washington CFP that will help accelerate the switch to cleaner, more affordable fuels and reduce GHG emissions from the transportation sector. In Washington, where residents enjoy some of the cleanest and most affordable electricity anywhere in the country, this switch to electricity would result in an even greater reduction in GHGs and criteria air pollution, as well as fuel savings.²

Clean fuels programs, such as California and Oregon’s CFPs, have proven to accelerate transportation electrification by increasing investment in electric vehicle (“EV”) charging infrastructure and supporting EV adoption.³ In California, the Low Carbon Fuel Standard (“LCFS”) program has increased investment in the clean fuels market by an estimated \$2 billion, helping increase alternative fuel use by 64 percent.⁴ California and Oregon’s CFPs work by sending a clear and effective market signal to prospective EV charging station operators that improves the business case for EV charging, thereby expanding private sector commercialization of EV charging. Incentives such as CFPs can also be utilized to encourage fleet operators to transition their fleets to electric. Specifically, where a city’s Dollar per Gallon equivalent (“DPGe”) is not meaningfully lower than that city’s equivalent gasoline or diesel price.⁵

AMPLY is a comprehensive charging and energy management provider for EV fleets focused on reducing costs and environmental impact. We offer a proven, scalable ecosystem of cloud-based software, onsite hardware, and customer-centric service to simplify charging operations for fleets

¹ <https://apps.leg.wa.gov/rcw/default.aspx?cite=70A.45.020>

² Multiple analyses - Puget Sound Clean Air Agency, Washington State’s-Deep Decarbonization Report - show total transportation costs declining over the next three decades as we transition to electricity and cleaner fuels in the transportation sector.

³ <https://www.ucsusa.org/sites/default/files/attach/2018/01/cv-fact-sheet-lcfs.pdf>

⁴ <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2018/lcfs18/fsorlcfs.pdf>

⁵ <https://amplypower.com/whitepaper2021/>



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operating trucks, buses, vans, and light-duty vehicles. OMEGA™ CMS, AMPLY's proprietary charge management system, optimizes charging for lowest cost energy, while offering improved resilience and reliability, all in a user-friendly dashboard. AMPLY actively manages and monitors fleet operators' EVs and chargers, dynamically responding to events in real-time. Several key features distinguish OMEGA from other platforms including a guaranteed 99.9 percent vehicle uptime to ensure vehicles are ready to perform their duty cycle at the start of every shift and Automated Load Management to enable 2x charger capacity without utility service upgrades.⁶

II. AMPLY's Recommendations on Washington CFP Implementation

AMPLY supports a Washington CFP and respectfully offers the following recommendations on the implementation of the CFP:

- 1. Implementation of and compliance with the Washington CFP beginning in January 2023.** AMPLY supports the Washington Department of Ecology making 2023 a compliance year, not just a reporting year. Implementing a Washington CFP as soon as possible will help ensure alignment with California and Oregon's CFPs. It will also help ensure that investment certainty for EV infrastructure keeps pace with the widespread and accelerating adoption of EVs. California's LCFS, which began in 2010, requires a 10 percent reduction by 2020 and 20 percent reduction by 2030 and post-2030 in the carbon intensity ("CI") of gasoline and diesel fuel.⁷ Oregon's CFP, which began in 2015, requires a 10 percent reduction by 2025, a 20 percent reduction by 2030, and a 25 percent reduction by 2035 in the CI of transportation fuels.⁸
- 2. Designate the owner or service provider of electric vehicle charging infrastructure as the first fuel reporting entity and credit generator.**⁹ For electricity used to charge an EV at non-residential locations, such as for public and commercial fleets, AMPLY supports the owner or service provider of the electric-charging equipment as the first fuel reporting entity and credit generator. Placing the credit closest to the provision of low-carbon fuel infrastructure will help incentivize further investment in clean fuel. California's LCFS program gives credit generation rights to fuel producers, including fueling supply equipment ("FSE") owners.¹⁰ For electricity supplied for non-residential EV charging, the FSE owner has the right to generate credits.¹¹
- 3. Enable an advanced credit option to support commercial and public fleets' transition to electric.** Advanced crediting could assist public and private fleets overcome fleet electrification capital investment barriers. California has implemented and advanced

⁶ <https://amplypower.com/our-products/>

⁷ https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2018/lcfs18/frolcfs.pdf?_ga=2.156618107.1708533084.1650919714-1463004822.1639161353

⁸ <https://www.oregon.gov/deq/ghgp/Documents/cfplluCompScenD.pdf>

⁹ <https://ecology.wa.gov/DOE/files/e4/e4b11436-8669-485d-8939-05f5524bf0ff.pdf>, page 12

¹⁰ https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf, page 31

¹¹ https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf, page 38



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credit option for large Investor Owned Utilities and Publicly Owned Utilities.¹² Similarly, Oregon has also implemented an advanced credit program for public agencies and certain private entities who provide a public service.¹³ In addition to public fleets, AMPLY recommends including commercial fleets in any advanced credit program. This financing mechanism is particularly important for medium- and heavy-duty fleet customers who may need secure, upfront financing to help plan the deployment of charging infrastructure projects. An electric fleet can earn from \$21,600 (last mile delivery fleet) to \$61,500 (regional goods movement fleet) in potential LCFS revenue annually.¹⁴ This revenue can be used to offset costs for EV purchases, charging infrastructure, maintenance, and electricity costs to charge electric fleets.

- 4. Enable a smart charging infrastructure credit for electrification of all vehicle use cases.** The Washington Department of Ecology should replicate California’s LCFS program, which provides infrastructure credits for all vehicle use cases, including light, medium-, and heavy-duty EVs. Specifically, AMPLY recommends replicating California’s LCFS pathways that support commercial fleet operators’ utilization of in-depot smart charging.¹⁵ This program feature has been critical to building out California’s EV charging infrastructure for high-mileage commercial fleets. High-mileage fleets are playing an increasing role in our transportation system, including transit fleets, drayage truck fleets, shared electric autonomous vehicle fleets, and transportation network companies, to name a few. Electrifying high-mileage fleets is a high-impact strategy for reducing emissions — they drive more than three times the average distance of non-commercial vehicles and have the potential to reduce GHG emissions per passenger by up to fifty percent per mile.¹⁶

III. Conclusion

AMPLY appreciates the Washington Department of Ecology’s leadership in this rulemaking and its support for a declining CI compliance target leading to an acceleration of EV adoption. We must accelerate CFP implementation to move more quickly toward a low-carbon sustainable, and resilient future. AMPLY’s energy and charging management services, incentives, or other mechanisms can be utilized to accelerate a shift to electric fleets. AMPLY handles all aspects of charging operations on behalf of fleet owners, and AMPLY’s charging systems are optimized for the lowest electricity costs. AMPLY is now delivering 100 percent clean energy to its electric fleet customers. We now ensure only California-sourced renewable power from wind and solar sources is used by our California fleet customers in order to reduce the effects of climate

¹²https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf, page 38

¹³https://oregon.public.law/rules/oar_340-253-1100

¹⁴ Southern California Edison, Charge Ready Transport Program

¹⁵https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf, page 199

¹⁶ Jenn, A. (2019). Emissions Benefits of Electric Vehicles in Uber and Lyft Services. *UC Davis: National Center for Sustainable Transportation*. <http://dx.doi.org/10.7922/G23R0R38> Retrieved from <https://escholarship.org/uc/item/15s1h1kn>



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change through the adoption of clean energy. AMPLY thanks the Washington Department of Ecology for the opportunity to provide these brief comments.

Respectfully submitted,

/s/ Heidi Sickler

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