

March 24, 2024

Department of Ecology
State of Washington
P.O. Box 47600
Olympia, WA 98504-7600

Re: EV Realty informal comments on updates to the Clean Fuel Standard

Dear Adam Saul,

Thank you for the opportunity to provide informal comments on Washington's Clean Fuel Standard regulation. We greatly appreciate the transparent rulemaking process including the workshops held earlier this year to solicit. The Clean Fuel Standard is an important piece of Washington's overall policy portfolio as the state strives to meet goals for climate, clean air, and electrification. We look forward to working with you to realize the benefits of this program.

EV Realty develops, deploys, and owns multi-fleet EV charging hubs for commercial fleets. This model aligns with a Clean Fuel Standard in transportation electrification and air quality improvement, particularly in overburdened communities suffering from the effects of diesel emissions. Multi-fleet hubs directly enable commercial vehicle electrification by providing critical charging solutions for fleets that may not be willing or able to deploy their own infrastructure due to grid constraints, landlord restrictions, resource limitations, or other operational considerations. Hubs can also reduce overall costs by concentrating load in strategically chosen locations, thereby maximizing utilization of existing infrastructure and minimizing the need for grid upgrades.

With the right rules in place, Washington's Clean Fuel Standard has the potential to be one of the most powerful tools in the state for meeting state policy goals. A well-designed Clean Fuel Standard can directly incentivize deployment of charging infrastructure in the locations that need it most, thereby laying the groundwork for an accelerated transition to a zero-emission transportation sector. The Clean Fuel Standard is particularly relevant for the state's efforts to achieve the medium- and heavy-duty truck electrification goals contained in the recently adopted Advanced Clean Trucks (ACT) rule.

Within the scope of the current regulatory process as outlined in the February workshops, the most important provision for truck electrification is the creation of a smart and flexible capacity credit program for medium- and heavy-duty (MHD) fleet charging. At this early stage of the market, with very few electric trucks on the road, the uncertainty around near-term charger utilization creates a risk that is hindering infrastructure investment. At the same time, fleets are unwilling to buy trucks they cannot charge. This is a classic "chicken or egg" problem, and capacity credits are a major part of the solution as they de-risk infrastructure investments and facilitate charger deployment in the face of uncertainty around vehicle deployment timelines.

We were encouraged to see a specific recommendation in the Washington Transportation Electrification Strategy calling for the state to “Amend Clean Fuel Standard rules to allow capacity credits for private fleet depots” for locations serving two or more fleets.¹ EV Realty strongly supports this provision, and we offer the following high-level recommendations for program design:

- **Maintain flexibility on geographic locations:** First and foremost, we recommend a flexible program without prescriptive limits on charger locations. This will allow project developers to balance fleet operational needs, grid constraints and power availability, and real-estate related considerations such as zoning when siting projects. Near-term charging should be sited near locations with heavy truck traffic and locations where trucks are domiciled. These are the parts of the state – such as areas near ports and distribution facilities – that are already experiencing high levels of truck traffic and related diesel emissions. Clean air benefits will therefore flow to those locations that are most overburdened. Prescriptive siting requirements (e.g., limiting to existing fleet depots or specifying close proximity to a freeway) will have unintended consequences in the form of delayed deployment, added costs, and additional grid upgrades.
- **Maintain flexibility on site specifications:** we recommend allowing maximum flexibility for developers to meet customer needs by avoiding overly prescriptive requirements on site size, power levels, and charger specifications. This will allow project developers to “right size” charging to meet customer needs.
- **Size the program to meet state ambitions:** Washington has adopted bold and ambitious targets for truck electrification. This program is one key tool in achieving those goals, and we therefore recommend ensuring that the program is robust and sized appropriately to support the scale and pace of infrastructure deployment that will be needed.

This is a unique opportunity to catalyze deployment of truck charging infrastructure just when it is needed most to support Washington’s clean air, climate, and clean truck goals. EV Realty applauds the state for outlining a holistic vision in the Transportation Electrification Strategy. We specifically support the recommendation to include capacity credits for multi-fleet depots as one key recommendation. This is one of the best tools the state has to directly support the multi-fleet charging depots that will be essential to unlock widespread truck electrification.

We look forward to working with you to realize the benefits of this program, starting with key freight hubs that are most in need of the clean air benefits that electric trucks can deliver.

Sincerely,

Jamie Hall
Director, Policy
EV Realty

¹ Washington Transportation Electrification Strategy, page 105.