

October 3, 2024

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

**Re: Clean Fuel Standard Rulemaking Informal Comments**

Department of Ecology Staff,

EVgo appreciates the opportunity to comment on the Department of Ecology's (Ecology) Clean Fuel Standard workshop on the Clean Fuel Standard (CFS) held on September 9, 2024. Headquartered in Los Angeles, EVgo is one of the nation's largest public fast charging providers for electric vehicles (EVs) with a mission to expedite the mass adoption of EVs by creating a convenient, reliable, and affordable EV charging network that delivers fast charging to all drivers.

The CFS is one of Washington's most effective decarbonization tools. It supports critical investments in EV charging infrastructure needed to meet Advanced Clean Cars (ACC) II and other Ecology zero-emission vehicle (ZEV) regulations. EVgo appreciates the effort Ecology has made to implement the CFS to-date and looks forward to its continued success in supporting the state's climate goals.

As Ecology considers updates to the CFS, EVgo recommends that the regulation:

1. Clarify that EV charging should be verified by desktop review and remove requirements for site visits to EV charging stations in WAC 173-424-820(3)(a)(ii) to recognize that EV charging networks' fuel transaction data is housed on electronic charging management platforms and not individual EV charging stations
2. Preserve and extend light-duty fast charging infrastructure (FCI) credit generation opportunities to 2030 in line with California's most recent Low Carbon Fuel Standard (LCFS) proposal

With these modifications, the CFS can continue to accelerate the transition to zero-emission vehicles and fuels and support the achievement of Washington's climate and air quality goals.

**1. Clarify that EV charging should be verified by desktop review and remove requirements for site visits to EV charging stations in WAC 173-424-820(3)(a)(ii) to recognize that EV charging networks' fuel transaction data is housed on electronic charging management platforms and not individual EV charging stations**

EVgo recognizes the importance of ensuring alignment between the quantity of electricity dispensed by EV charging stations and the quantity of electricity reported to Ecology by entities generating CFS credits from EV charging. To this end, EVgo maintains that the best way to verify the accuracy of reported fuel from EV charging stations is through data checks and reviews of electronic records. Site visits may be appropriate for verification of large liquid fuel production facilities, but they are not suited to EV charging networks for several reasons:

- **EV charging networks' fuel transaction data is housed on electronic charging management platforms, not at individual EV charging stations.** Third-party verifiers cannot readily obtain cumulative fuel transaction data from visiting individual EV charging stations because EV chargers, unlike liquid fuel production facilities, are unmanned and do not feature data management systems on-site. Instead, third-party verifiers can complete electronic reviews of data management systems that collect fuel transaction data from across EV charging networks that are then used to generate fuel transaction reports that are submitted to Ecology. This approach can provide material time and cost savings while providing third-party verifiers with the information needed to carry out a comprehensive assessment of an entity's compliance with CFS reporting requirements.
- **EV charging networks are large and widespread.** Whereas third-party verifiers may feasibly carry out annual site visits to a limited number of large liquid fuel production facilities, it is costly and time-intensive for verifiers to conduct annual site visits for thousands of EV charging facilities located in diverse areas across the state.

Instead of taking a one-size-fits-all approach to a diverse suite of low carbon fuels, EVgo strongly recommends that Ecology remove the requirement for site visits to EV charging stations participating in the CFS and modify the regulations in a manner that allows third-party verifiers to complete verification services remotely, as fuel transaction data is housed on electronic charging management platforms – not at individual EV charging stations. This approach is better situated to provide third-party verifiers with the data needed to conduct in-depth verification.

**2. Preserve and extend light-duty fast charging infrastructure (FCI) credit generation opportunities to 2030 in line with California's most recent LCFS proposal**

EVgo understands Ecology's interest in supporting medium- and heavy-duty use cases in proposing to limit future light-duty FCI applications after 2026 but is concerned that doing so

would unduly undermine the state's efforts to accelerate deployment of public fast charging infrastructure and work against the state's goal of aligning the CFS with California's Low Carbon Fuel Standard (LCFS). FCI credit generation opportunities already decline as charging stations achieve higher levels of utilization and are also currently limited to a five-year period after Ecology approves a charging station's FCI application. However, FCI remains an important incentive to de-risk investment in lower utilization locations that may fill important gaps in the state's charging network.

More importantly, California Air Resources Board's (CARB) August 12 updates<sup>1</sup> to the draft LCFS regulation made several important clarifications with respect to light-duty FCI credits:

- CARB will accept new light- and medium-duty FCI applications until December 31, 2030;
- CARB extended the FCI crediting period for eligible light- and medium-duty projects from five years to 10 years;
- CARB updated and simplified the FCI credit generation formula for light- and medium-duty charging projects; and
- CARB has proposed maintaining the pool of eligible light- and medium-duty FCI credits at 2.5% of prior quarter deficits.

These modifications reinforce the long-term importance of FCI crediting in supporting California's nation-leading light-duty fast charging market. By adopting similar provisions in the CFS, Ecology can put Washington in a better position to accelerate the growth and geographic diversity of the state's public fast charging network in line with EV adoption targets.

EVgo appreciates the opportunity to provide these comments and looks forward to being a resource as Ecology continues the CFS rulemaking.

Respectfully submitted this 3<sup>rd</sup> Day of October,

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<sup>1</sup> [https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2024/lcfs2024/15day\\_atta-2.pdf](https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2024/lcfs2024/15day_atta-2.pdf)