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November 5th, 2025

Washington State Department of Ecology,

Electric Era respectfully submits these comments to the Department of Ecology as part of the ZEVergreen State Dialogue Sessions. We appreciate the opportunity to engage with Ecology on the topic of developing actionable strategies to ensure continued momentum in Washington State's transition to clean transportation.

Introduction

Electric Era is a Seattle-based company that manufactures, deploys, and operates intelligent, battery-backed Direct Current Fast Charging (DCFC) systems that are designed to minimize the grid impact of high-power EV charging, accelerate installation timelines, and support increased charging reliability. Our patented above-the-grid charging technology is a unique approach to electric vehicle charging station architecture that allows for increased energy throughput to vehicles while minimizing the draw from the grid. This technology leverages a battery energy storage system (BESS) coupled with a dynamic load management software that stacks battery power on top of grid power, creating an AC microgrid that can charge at a high power level with a limited grid connection. The BESS can charge and store energy during off-peak periods when electricity demand is lower, then deploy stored capacity when charging demand is high. Electric Era's above-the-grid charging technology helps accelerate deployment timelines, offset on-peak electricity usage, and reduce the cost to charge for drivers. Electric Era partners with station owners and site hosts, ranging from local businesses to large enterprises, and installs and operates EV Fast Charging stations across Washington and the broader United States.

Overview

Electric Era's comments outline several strategies Washington can take to promote clean transportation, namely through strengthening the state's approach to cable theft and charger vandalism, establishing a framework for transparency and accountability for electric utility energization timelines, streamlining tracking and improving the reliability of the publicly

funded EV charger network, introducing innovative funding mechanisms to support EV charger deployment in low utilization areas, and finally, encouraging load balancing technologies to reduce grid strain from EV charging demand.

Strengthening Washington's Approach to EV Charging Station Vandalism

Instances of vandalism to public infrastructure an area of increasing concern for Washington, with prevalent copper wire theft impacting several stakeholders across the State, notably EV charging providers, electric utilities, telecom providers, and transit agencies[1].

EV charging infrastructure is frequent victim of copper wire theft in Washington: the Seattle area is consistently one of the worst hit regions in the United States[2]. The high frequency of EV charger cable theft has a clear negative impact on existing EV drivers, for whom charger availability has become inconsistent and unpredictable. Particularly for EV drivers who rely on public charging, such as those who reside in multifamily housing or those without the means to install residential charging, charger vandalism significantly limits their ability to reliably power their vehicles and exacerbates inequities in access to clean transportation.

Additionally, prevalent cable theft also impedes EV adoption. The widespread visibility of vandalized EV charging infrastructure directly undermines consumer confidence, deterring prospective EV buyers and feeding concerns about the reliability, availability, and ease of EV charging[3]. As such, charger vandalism is a visible obstacle to Washington's ZEV adoption goals. Looking at the impact to charging station operators in Washington State, the cost to repair vandalized chargers significantly outweighs the value of the copper wire being stolen. This financial reality coupled with the high frequency of cable theft in Washington State could hamper privately-owned charging station development in Washington State. Furthermore, Washington State has committed and continues to commit resources and funding to build out EV charging infrastructure across the State. Charger vandalism threatens to undermine the impact of these investments.

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[1]Jake Goldstein-Street, "Utilities and Telecoms Turn to WA Lawmakers for Help as Copper Wire Theft Surges," *Washington State Standard*, September 30, 2025, https://washingtonstatestandard.com/2025/09/30/utilities-and-telecoms-turn-to-wa-lawmakers-for-help-as-copper-wire-theft-surges/.

[2]Gillian Dohrn, "Seattle-area EV Drivers Left Searching for Fast Chargers Due to 'Epidemic' of Cable Theft," *GeekWire*, July 1, 2024, https://www.geekwire.com/2024/seattle-area-ev-drivers-left-searching-for-fast-chargers-due-to-epidemic-of-cable-theft/.

[3]Tom Krisher, "Thieves Are Targeting EV Charging Stations for Copper in Their Cables," Associated Press, June 12, 2024, https://apnews.com/article/electric-vehicles-charging-cables-stolen-copper-tesla-5f003686cade63fade2e8d7dd3402f3a.

Whether it be to protect the existing EV driver experience, support EV adoption, encourage EV station development, or protect public investment into charging infrastructure, Electric Era strongly suggests Washington State address the urgent need for improved enforcement and infrastructure protections across the state.

Existing statute does not adequately address copper wire theft of or appropriately restrict the resale of stolen copper wire from EV charging stations. One concerning gap is that active statute makes exceptions for certain requirements for low value transactions of nonferrous material (including copper wire), allowing these sales to be conducted with little verification of the source of the material. The sale of an EV charger cable, containing around $20 of copper wire, does not currently require that sellers sign a declaration stating, under penalty of law, that the wire is not stolen property.[4] Amending RCW 19.290.030 to require a declaration from the seller for *all* nonferrous metal transactions, regardless of dollar amount, would close this gap and create an additional penalty for the sale of stolen copper, given a seller's intent to defraud a scrap metal business. RCW 9A.56.410 establishes that knowingly submitting a false declaration is a gross misdemeanor, punishable by a fine of up to $5,000. By extending declaration requirements to all nonferrous metal transactions, the state would increase liability for individuals attempting to sell stolen copper wire, adding a layer of deterrence to complement existing theft statutes.

Another strategy Electric Era suggests Washington consider would be to explicitly outline, in existing statute, a detailed list of specific materials that scrap metal dealers may not buy, sell, or possess without clear proof of lawful origin. Recent legislation in California, AB 476, has taken this approach, detailing various specific materials that scrap metal dealers may not possess without proof of ownership from the seller. In Washington, an amendment to RCW 19.290.030 which outlines a detailed list of materials that scrap metal dealers may not buy, sell, or possess without clear proof of lawful origin would provide explicit legal protection for vulnerable and frequently stolen materials and increase the deterrent for scrap metal businesses to transact in these materials.

Finally, although current law (RCW 9A.56.410) makes it a gross misdemeanor for a scrap dealer to possess unlawfully obtained metal property, existing provisions as they relate to the sale of nonferrous materials, including copper wire, are fragmented across disparate chapters of the RCW. Definitions appear in RCW 19.290.010, transaction requirements in RCW 19.290.030, and penalties in RCW 9A.56.410 and RCW 9A.20.021. Consolidating and specifying prohibited materials and associated penalties for noncompliance within RCW 19.290.030 would simplify enforcement, increase visibility for scrap metal businesses, and underscore the legislature's commitment to explicitly addressing this issue.

To address the growing problem of copper wire theft, Electric Era strongly suggests Washington State strengthen the existing statutory framework governing scrap metal

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[4]https://apnews.com/article/electric-vehicles-charging-cables-stolen-copper-tesla-5f003686cade63fade2e8d7dd3402f3a

businesses and associated penalties with noncompliance. Existing statute provides a good foundation but has several gaps that weaken overall efficacy. Targeted legislative actions detailed above are a zero-cost way to protect public EV charging access, availability, and reliability and strengthen accountability within the scrap metal market.

Establishing Energization Timeline Targets for Electric Utilities

Unpredictable and extended utility timelines introduce significant risk and cost into electrification projects, delaying the deployment of EV charging and other critical infrastructure needed to support Washington's clean transportation goals. One barrier to efficient, widespread EV charging station deployment is lengthy charger installation timelines, a reality underscored by a lack of accountability surrounding and transparency into the energization process on the utility side.

Addressing the lack of transparency in the energization process as well as improving our understanding of energization delays, will be critical to ensure that the statewide deployment of EV charging infrastructure can keep up with, and not hinder, the potential for EV adoption across the state. This action would support the state's goal for ZEVs to make up 100% of new light-duty vehicles sold by 2035 by increasing the number of EV charging stations available to drivers, helping to address range anxiety and promote consumer confidence.

To adequately address delays in the utility design and energization processes, Electric Era recommends that Washington consider introducing a regulatory framework that accomplishes the following:

- Establish reasonable average and maximum target energization time periods for electric utilities to complete customer requests for new or upgraded electric service. This would support increased accountability for utilities to meet reasonable energization timeline targets and improved visibility of timelines that are unpredictable currently.
- Establish a method for customers to report instances when these energization targets are not met. This would improve understanding of delays in the utility process such that additional, informed strategies can be appropriately considered.
- Mandate reporting on energization timelines in order to evaluate fulfillment of timely electric service and identify reasons for delays faced by customers when seeking new or upgraded electric service lines. This additionally supports efforts to better understand bottlenecks in the utility process such that additional, informed strategies can be appropriately considered.

A model approach can be seen in California, through action by the California State Legislature and the California Public Utilities Commission (CPUC). In 2024, the CPUC began the process of implementing provisions of AB 50 (Wood, 2023) and SB 410 (Becker, 2023) related to the development of target energization timelines and a procedure for customers to

report energization delays to the CPUC. The rulemaking process resulted in the adoption of regulation in Fall 2024 which established timelines for energization requests and a procedure for customers to report energization delays to the Commission. Just over a year later, the regulation has already increased developer visibility into utility-side processes and established a mechanism by which policymakers, charging station developers, and the public can access information regarding and better understand the utility energization process.

Parallel legislative efforts may be required to ensure similar transparency and accountability for WA Investor-Owned Utilities and for Washington's large number of Public Utility Districts (PUDs), cooperative electric utilities, and municipal electric utilities. A statewide legislative mandate would enable the energization process transparency and accountability necessary to achieving the state's broad EV goals.

Improving Reliability of Publicly-Funded Charging Infrastructure

Electric Era supports the adoption of reliability and reporting standards for publicly-funded EV fast chargers in Washington, as a strategy to address poor public EV charger reliability and the associated negative impacts on EV driver satisfaction and EV adoption. Comprehensive, statewide regulation is an essential step toward ensuring that public charging infrastructure deployed under various state-funded and state-administered programs is reliable and a prudent use of public funds.

As Washington continues to commit resources to EV charging infrastructure to support its ZEV adoption goals, the development of a uniform reliability and reporting standard for all publicly-funded charging stations would be appropriate to standardize expectations for station performance and ensure reliable access to EV charging for drivers.

Presently, different agencies across the state that administer EV infrastructure incentive or grant programs each have varied approaches to reliability standards and data collection methodology. This fragmentation both increases the administrative burden on incentive and grant recipients across the state, but more importantly, does not allow for visibility into the current state of the charging network across Washington. If reliability and reporting requirements were standardized across different funding programs, Washington could begin to develop a single source of truth for the performance of EV charging stations across the state. This approach would ensure publicly-funded chargers are being held to an appropriately high performance standard to align with the state's ZEV adoption goals, whilst also increasing visibility into the current state of the charging network and enabling improved data-driven decision-making for future public investment into EV charging infrastructure.

Furthermore, establishing a regulatory framework for EV Charger Reliability and Reporting Standards sends a clear signal that the consistent, reliable performance of publicly-funded EV chargers in Washington is a priority not just for individual agencies, but for

the Legislature as a whole. Such a priority is congruous with the existing goal of ZEVs being 100% of light-duty vehicles sold by 2035.

Introducing Innovative Funding Mechanisms for Charging Station Deployment

Electric Era recommends that Washington consider trialing a new grant funding mechanism to support widespread deployment of EV charging stations across the state. Commonly referred to as "Contracts for Difference," a funding mechanism of this nature would be provided as a reserve for under-utilized EV charging stations during the operating period rather than as an upfront capital reimbursement during the construction period.

There are several benefits to this grant structure given the current state of the EV fast charging development market, one being that a Contracts for Difference (CfD) model disconnects the grant reimbursement from the site development process. The intermingling of grant reimbursement milestones with the realities of on the ground site development and construction can create challenges for the speed of deployment and can slow down installation of publicly-funded chargers. A CfD model enables charging station development to move at the speed of private financing, speeding up project delivery.

The other primary benefit of a CfD model is that it functions as a self-limiting subsidy that facilitates a clean off-ramp for charging projects that require state support. Unlike upfront capital grants, a CfD is structured as a time-bound revenue backstop, paying out only when a site's utilization and revenue fall below a pre-agreed floor. As the EV market naturally matures and charger utilization increases, the need for the revenue backstop diminishes, and state support naturally reduces. This mechanism ensures that public funds are targeted exclusively at genuine market gaps and uncertainty, by only paying out for sites with low utilization. Furthermore, recent research and a policy think-tank position paper also argue that a CfD model would increase propensity to invest from EV charging developers. This dynamic is particularly relevant for areas with presently low utilization, as it addresses the long standing chicken-and-egg problem of EV adoption and public EV charging availability.

Encouraging Load Balancing Technologies in EV Fast Charging

Electrification and EV adoption have increased demand on Washington's grid. New loads from EV charging infrastructure and other clean energy investments have contributed to rate increases for utilities across the state[5]. Washington faces a critical challenge in promoting

[5]"Washington Utility Bill Increase Driven by Electric Grid, Energy Demand," *Axios Seattle*, August 12, 2025,https://www.axios.com/local/seattle/2025/08/12/washington-utility-bill-increase-electric-grid-energy-demand.

clean transportation while managing rising utility costs and working within the physical limitation of the electric grid.

One effective strategy is promoting innovative load balancing technologies, such as battery-backed DC fast charging. This technology enables high power EV charging with a reduced grid connection, eliminating the need for extensive, costly, and unnecessary infrastructure upgrades. This approach to deploying EV fast charging reduces stress on the grid and sidesteps costly and time-consuming distribution system upgrades, whilst providing an identical level of service to EV drivers. Furthermore, battery-backed DC fast charging can flatten a station's load curve, mitigate on-peak electricity demand, and reduce operational costs by minimizing the impact of demand charges, improving deployment possibilities in high demand charge and grid constrained areas.

Encouraging adoption of battery-backed and other innovative, load balancing solutions will enable Washington to deliver ubiquitous fast charging more efficiently, promoting clean transportation goals whilst also shielding ratepayers from footing the bill for avoidable infrastructure upgrades.

Conclusion

Electric Era appreciates the opportunity to engage with Ecology on the state's strategies for supporting clean transportation and looks forward to continued engagement on this topic. Please contact the undersigned should you have any questions or wish to discuss these comments further. Thank you.

Respectfully submitted,

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