

September 15, 2025

Mr. Christopher Grundler, Deputy Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Mr. Grundler:

Subject: Los Angeles Department of Water and Power Comments on the Proposed
Amendments to the Advanced Clean Fleets Regulation

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to provide comments on the California Air Resources Board's (CARB) proposed 45-day package to the Advanced Clean Fleets (ACF) Regulation to incorporate the requirements under Assembly Bill (AB) 1594.

LADWP is the nation's largest municipal utility serving more than four million residents of Los Angeles, its businesses, and visitors. LADWP maintains a vast water system with about 7,341 miles of mainlines and trunk lines transporting approximately 140 billion gallons of water annually. LADWP's Power System is the nation's largest municipal electric utility, supplying over 21,600 gigawatt hours annually to customers in Los Angeles and the Owens Valley. In addition, LADWP maintains a diverse power generation, transmission, and distribution system of 15,000 miles of power lines and cables that span five western states. Operating and maintaining these vast systems requires necessary vehicles readily available to quickly restore water and power.

Water and Power crews respond to emergency events such as high winds, heat storms, floods, sabotage, and major system failures, as well as mutual aid requests from local utilities and other water and power utilities throughout the United States. The recent wind-driven wildfires in the Pacific Palisades have highlighted the need for continuous duty fleet vehicles to protect life, property, and worker safety. LADWP's crews work directly with first responders like the police and fire departments during these events or when requested by the City of Los Angeles to assist with other local emergencies.

LADWP appreciates some of the changes CARB has proposed in the 45-day package, specifically, the definition of traditional utility-specialized vehicles and the added provision for early access to exemptions to the Zero-Emissions Vehicles (ZEV) Purchase and Daily Usage exemptions.

However, due to the uncertainty of the medium and heavy-duty vehicle market, Clean Truck Partnership (CTP), and Advanced Clean Trucks (ACT) regulation, LADWP urges CARB to recognize the new landscape and incorporate these significant and necessary recommendations to the ACF regulation. The ACF regulation was intended to work together

with the ACT regulation and CTP to provide an increasing number of ZEVs in the market for both public and private fleets in California. Now that state and local governments are the only entities subject to the ACF regulation, it is more crucial than ever to ensure that the exemption pathways are feasible. As currently proposed, the ACF language will make it extremely challenging and, in some cases, impossible for LADWP to update its fleet to ensure employees can accomplish their specialized functions. It is crucial for this regulation to be workable and serve as a model to support future electrification goals.

As written, the proposed 45-day language is still too restrictive and fails to fully address the major issues of ZEV availability and emergency response. The current exemptions do not provide a sufficient process for large public agency utility fleets to acquire necessary utility vehicles with specifications that meet operational needs. LADWP offers the following recommendations regarding the Mutual Aid Exemption, ZEV Purchase Exemption, Daily Usage Exemption, and additional proposals to make the ACF regulation more feasible. As a Provider of Essential Public Service, these changes are crucial for LADWP to transition to ZEVs while allowing for the continued ability to provide safe and reliable water and power.

Mutual Aid

Earlier this year, the Pacific Palisades Fire (Palisades Fire) provided LADWP with firsthand experience on the vehicle needs during a recent emergency. Over 100 power crews were dispatched to remove damaged power poles, downed lines, and utility equipment to make the area safe for first responders, other agencies, and residents to repopulate the Palisades community. In addition, 21 water crews reported to Pacific Palisades in support of the restoration efforts. These are only estimates, as the actual number of vehicles and crews varies based on the requirements and complexity of each crew's specific job and the complexity of the event. These estimates do not include additional vehicles used by LADWP's Joint System, which provides support for both Water and Power systems, and other mutual aid crews from Pacific Gas & Electric, Navajo Tribal Utility Authority, and contractors who supported the emergency effort. The Palisades Fire was a localized event, but a larger natural disaster, such as an earthquake, could potentially affect the entire service territory and require a much larger number of vehicles to respond.

To make the exemption feasible, LADWP recommends the following revisions:

1. Remove any requirement to meet a minimum threshold before accessing this exemption. Based on the current ZEV market conditions, the minimum proportions of ZEVs make access to this exemption unattainable in the near term, while existing vehicles continually need to be replaced.
2. A 25 percent limit on this exemption would not be sufficient for LADWP to respond to a relatively small, localized event such as the Palisades Fire, let alone a much larger disaster throughout LADWP's service territory. A percentage limit on the number of vehicles for mutual aid is not sufficient due to the diversity in fleet sizes and operations. If a 25 percent limit is required, LADWP recommends that the ACF regulation includes a process where fleets with operations in multiple states or a large service territory may, through discussions with CARB, request exemptions for additional mutual aid vehicles

over the 25 percent limit. LADWP currently has five mutual aid agreements and requires an adequate number of vehicles to have within our service territory as well as additional vehicles that can be relied upon for responding to requests for assistance outside LADWP's service territory.

3. Vehicles exempted by other portions of the regulation should not count against the 25 percent limit. It is burdensome for both fleets and CARB to track, and it reduces the much-needed flexibility provided in this provision.
4. Remove the requirement that new Internal Combustion Engine Vehicles (ICEV) purchased under this exemption must not exceed the total number of ZEVs. This places additional constraints on LADWP's vehicle procurement process.
5. Modify 2013.2(e)(3), which requires documentation from three mobile ZEV fueling providers. This requirement should be delayed until at least 2035, when further evaluation of the technology can be made. Mobile ZEV charging is currently not reliable based on LADWP's recent experiences:
 - a. Many ZEVs are unable to achieve an 80 percent charge within an hour, impacting the ability to respond to emergencies.
 - b. Communication protocol incompatibility issues have been observed between Electric Vehicle chargers and the ZEV manufacturers.
 - c. Newer ZEVs are equipped with higher battery voltages (V) (e.g., 600V, 800V, etc., as opposed to the previously common 400V systems), making them incompatible.

During the Palisades Fire, LADWP relied on mobile diesel fuel trucks. LADWP utilized agreements with fuel vendors to provide additional fuel deliveries along with LADWP's own mobile fuel trucks on a 24-hour continuous basis to refuel the vehicles working during the Palisades event and subsequent restoration efforts. Mobile fuel trucks were used to refuel emergency generators, stationary engines, other equipment for LADWP's water and power infrastructure, and the LAFD stations impacted by the event.

ZEV Purchase Exemption

In addition to mutual aid and emergency response, the other primary issue with the ACF regulation is how vehicle availability is defined. The current language fails to address the necessary criteria that public agency utility fleets have been proposing since the beginning of the rulemaking process. A public agency utility has unique vehicle specification needs that should be considered when determining ZEV availability. Early access to this exemption is meaningless if the exemption process itself is infeasible. Furthermore, ZEV purchase exemptions granted to fleets should be extended to Original Equipment Manufacturers (OEMs) and engine manufacturers for vehicle purchases. Fleets may not be able to utilize a granted exemption under ACF if OEMs are unable to sell ICEVs due to the requirements of the ACT regulation.

LADWP reiterates its previous recommendation to establish defined criteria for vehicle availability rather than simply vehicle configuration. Vehicles need to be capable of doing the work required by a public agency utility. LADWP has deployed ZEVs and participated in pilot programs where issues with weight and payload challenges have impacted operations. Based on LADWP's experience, the ZEVs that they have used are unable to hold the essential tools and equipment that ICEVs can. Additionally, LADWP has new ZEVs that are currently unable to operate due to the delay in service and/or parts availability.

Therefore, LADWP reemphasizes the additional criteria previously proposed in its past comment letters to address these vehicle availability, performance, reliability, and maintenance concerns. LADWP strongly recommends that the following criteria be added to 2013.2(d)(2)(D) to allow fleets and CARB to fully evaluate how the ZEV can be operated and not solely based on whether the configuration is available or not:

1. ZEV or Near-Zero Emission Vehicles (NZEV) payload, towing capacity, off-road capability, and auxiliary functions meet the fleet's operational needs;
2. ZEV or NZEV must satisfy OEM testing and field-testing requirements, including a weight distribution study and gradeability tests based on the fleet owner's specifications;
3. Public agency has solicited responsive bids from at least three manufacturers, within the bid period, with each manufacturer having at least three years of experience selling vehicles in California. No responses received during the bid period should be counted against the minimum number of bids;
4. ZEV or NZEV authorized dealer or manufacturer is able to fulfill the purchase order within 18 months;
5. ZEV or NZEV delivery time does not exceed that of an ICEV by six months;
6. ZEV or NZEV model has at least 25 vehicles placed in service;
7. ZEV or NZEV authorized dealer or manufacturer is able to provide vehicle maintenance support within 50 miles of the delivery point, and guarantee continuous availability of parts; and
8. The replacement of one specialty ICEV should not necessitate the purchase of more than one ZEV or NZEV to meet required technical and operational specifications of the vehicle being replaced.

Furthermore, LADWP recommends removing the requirement in 2013.2(d)(2)(B) where fleet owners are required to consider purchasing a ZEV in the next higher weight class. This requirement does not consider the fleet owner's specifications, work requirements, and weight, height, or width requirements of the final build vehicle.

Daily Usage

Public agency utilities need to be prepared for the most extreme scenarios at all times. LADWP's vehicles are deployed to respond to emergencies of all sizes at any given moment. Crews need to be capable of not only performing routine tasks but also operating around the clock in 16-hour shifts. The daily usage exemption should account for these cases. To make the exemption feasible, LADWP proposes the following recommendations:

1. Remove the ten percent threshold before accessing this exemption. Based on the current ZEV market conditions, the minimum proportions of ZEVs make access to this exemption unattainable in the near term, while existing vehicles continually need to be replaced.
2. Allow additional time for fleet owners to place new vehicle orders. LADWP's normal procurement process takes approximately 18 months to award a contract and up to two years to place a vehicle order.
3. In lieu of calculating the range of a battery-electric vehicle (BEV), allow fleet owners to convert fuel usage to a kilowatt-hour equivalent, which can then be compared to that of a BEV.
4. Instead of compiling daily usage reports of all existing ICEVs of the same weight class and configuration, fleet owners should only have to demonstrate that the vehicle being replaced exceeds the capabilities of a BEV.
5. Instead of compiling data from specific periods of time, fleet owners should have the option of providing example(s) from any period to demonstrate a vehicle's usage need (e.g. a worst-case scenario).
6. Remove the requirement where BEVs that do not meet the daily usage criteria and must be purchased before an exemption for ICEVs can be granted. A vehicle's replacement criteria is approved by the fleet's governing board, chief executive, or the chief executive's designee due to age, maintenance issues, mileage, and other operational needs.

Fleet Expansions

LADWP strongly recommends including new vehicle additions, not just vehicle replacements, in the ZEV Purchase and Daily Usage exemptions to allow for fleet expansions when ZEVs are unavailable. This is essential in supporting the increased infrastructure projects throughout LADWP's service territory.

Fleet Owners and Rentals

The proposed 45-day language considers fleet owners/operators the owners of rental vehicles only when rentals are over a year and it is also specified in the terms of the rental agreement. LADWP has a long-established history of awarding three- to five-year rental vehicle contracts with multiple vendors on an as-needed basis. LADWP requires rental vehicles to supplement its fleet due to long delays in building vehicles or unexpected projects. LADWP asserts that fleet owners with long-term rental agreements should not be considered the owners of rental vehicles because they do not maintain, repair, or perform mandatory regulatory inspections for these vehicles. The rental companies are the legitimate owners because they are responsible for performing the required maintenance and repairs of vehicles, conducting all regulatory compliance inspections, and maintaining the vehicle registration. LADWP recommends keeping the definition as is in the 45-day package.

Early ZEV Purchases

Fleet owners should be given the opportunity to decide when to count early ZEV purchases towards their future purchases. This will continue to incentivize fleets to purchase available

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ZEVs as early as possible while maintaining the flexibility to utilize the credits for necessary utility vehicle purchases.

NZEV

Since no NZEVs currently exist, LADWP recommends expanding the scope of the definition of NZEV to include hybrid vehicles (diesel with electric power take-off), CNG, etc. This will help continue the development of bridge technologies as fleets transition traditional specialty utility vehicles to ZEVs.

Enclosure 1: Redlines of proposed rule attached

The enclosure includes redlines of the proposed State and Local Government Agency's Advanced Clean Fleets rule as discussed above.

Nevertheless, LADWP is committed to continuing its efforts to electrify its fleet and evaluating ZEVs for effectiveness and reliability as they become available. As a public entity, LADWP prioritizes compliance with all federal, state, and local regulations. LADWP encourages CARB to continue working with stakeholders to make significant revisions to the language to successfully implement the requirements of AB1594 and the goals of ACF. LADWP appreciates CARB's collaboration with the stakeholders and consideration of the feedback provided and looks forward to the additional 15-day changes.

If you have any questions regarding these comments, please contact Ms. Andrea Villarin or Mr. Ellis Chiu, of my staff, at (213) 367-0409 or (213) 367-0470, respectively.

Sincerely,

Katherine Rubin
Director of Corporate Environmental Affairs

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Enclosure

c/enc: The Honorable Liane Randolph, Chair, CARB
The Honorable Dr. Steve Cliff, Executive Director, CARB
Ms. Michelle Buffington, Division Chief, CARB
Ms. Andrea Villarin
Mr. Ellis Chiu