

April 17, 2026

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

Dear Mr. Grundler:

Subject: 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) 15-day changes 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 the City of Los Angeles (City), 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. The City's clean energy future is guided by a plan to provide reliable and sustainable electricity, achieve an accelerated goal of an 80 percent renewable portfolio standard by 2030, and transition to a 100 percent carbon-free power supply by 2035. LADWP recently announced a full divestment from coal in the City's power supply in 2025. Furthermore, LADWP has been a leader in water conservation since the early 1990s and continues to use innovative programs such as groundwater replenishment and recycled water to build a resilient and sustainable future.

Our commitment to climate change mitigation is mirrored in our commitment to climate change adaptation and investments in community resiliency – both of which require robust crisis management and emergency response. To serve our customers, 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 when there are disruptions.

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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. Wildfire response, in particular, supports both community resiliency and climate change mitigation given vast carbon emissions that result from such events. Emergencies like the wind-driven wildfires in the Pacific Palisades (Palisades Fire) have highlighted the need for continuous duty fleet vehicles to protect life, property, the environment, 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 to assist with other local emergencies.

LADWP appreciates CARB's efforts and dialogue throughout the ACF rulemaking and would like to commend CARB on the improvements proposed in the 15-day changes, including, extending the 100 percent purchase requirement from 2027 to 2030, removing the 13th model year limitations, extending the applicability of exemptions to fleet additions, decreasing the threshold to access the Fleet Resiliency Exemption (FRE), and updates to the Zero-Emissions Vehicles (ZEV) Purchase and Daily Usage Exemptions (DUE).

LADWP has consistently advocated that the ACF regulation should reflect current market conditions, and we recommend that CARB clarify the pathway to continued dialogue and revision as the market evolves. In addition, the availability of exemptions to address market or operational constraints will be essential to avoid unintended harm. For example, following Ford's announcement to end production of the all-electric F-150 Lightning trucks on December 15, 2025, there are concerns that other manufacturers would follow suit and suspend production of their ZEVs. This significant shift in the ZEV market would negatively impact public utility fleets and compromise their ability to comply with the ACF regulation.

As written, the 15-day changes challenge the creation of a valid and implementable exemption process. Specifically, current language on exemptions does not provide a sufficient and streamlined 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 Fleet Resiliency, ZEV Purchase, and DUE, as well as additional proposals to make the ACF regulation workable. As a provider of essential public services, these changes are crucial for LADWP to transition to ZEVs while allowing for the continued ability to provide safe and reliable water and

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power. For additional context, please refer to LADWP's previous comment letters dated October 17, 2022¹, April 7, 2023², December 10, 2024³, and September 15, 2025⁴.

Fleet Resiliency Exemption

LADWP strongly supports lowering the minimum threshold to at least five percent ZEVs in the fleet before being able to access the exemption. Earlier access to this exemption is critical as LADWP consistently works to upgrade and modernize the City's water and power infrastructure to ensure our customers receive safe, reliable, and affordable service. To further improve this exemption, LADWP reiterates the following recommendations:

1. The 25 percent limit on this exemption, under California Code of Regulations (CCR) 2013.2(e)(1)(D) is not currently sufficient for LADWP to respond throughout LADWP's service territory. A percentage limit on the number of vehicles 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 also include a pathway where fleets with multi-state operations or a large service territory may request exemptions for additional mutual aid vehicles over the 25 percent limit through discussions with CARB. LADWP currently has five mutual aid agreements and is expected to have an adequate number of vehicles that are available and can be relied upon to be able to safely and quickly respond to requests for assistance both within and outside of LADWP's service territory.
2. Vehicles purchased under the ZEV Purchase and DUE should not count against the 25 percent FRE limit especially if they do not necessarily serve fleet resiliency needs. This added constraint prevents utilities from maximizing the flexibility offered by the FRE pathway.
3. Remove the requirement under CCR 2013.2(e)(1)(C) that new Internal Combustion Engine Vehicles (ICEV) purchased under this exemption must not exceed the total number of ZEVs. This reduces the flexibility of the exemption and places additional constraints on LADWP's vehicle procurement process.

¹ October 17, 2022 LADWP comment letter: <https://ww2.arb.ca.gov/sites/default/files/BARCU/barcu-attach/323-acf2022-AGxSNQZjVXEGcAdY.pdf>

² April 7, 2023 LADWP comment letter: <https://ww2.arb.ca.gov/sites/default/files/BARCU/barcu-attach/514-acf2022-Uz9dOll3VnIKfFMM.pdf>

³ December 10, 2024 LADWP comment letter: <https://ww2.arb.ca.gov/form/public-comments/submissions/19416>

⁴ September 15, 2025 LADWP comment letter: https://scs-public.s3-us-gov-west-1.amazonaws.com/env_production/oid377/did200185/pid_212132/assets/merged/zc0biej17e9_document.pdf?v=41222

In 2025, the Palisades Fire provided LADWP with firsthand experience on the vehicle needs during a recent emergency. Over 120 water and 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 Pacific Palisades community. 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. During the Palisades Fire, LADWP relied on mobile diesel fuel trucks to refuel emergency generators, stationary engines, other equipment for LADWP's water and power infrastructure, and the Los Angeles Fire Department stations impacted by the event. Unfortunately, the technology to rapidly and reliably recharge specialty utility and heavy-duty ZEVs on an active jobsite does not currently exist.

Finally, LADWP supports that the exemption has been expanded to address all fleet resiliency concerns, in addition to mutual aid, emergencies, and ensuring essential public services. LADWP understands that the FRE was broadened to cover any operational resiliency concerns or other situations such as intermittent towing and payload constraints. However, LADWP requests that vehicle specification issues such as range and towing should continue to be addressed by further improving the ZEV Purchase and DUE.

ZEV Purchase Exemption

While LADWP appreciates CARB delaying the 100 percent purchase requirement until 2030, LADWP has found that complying with the 50 percent purchase requirement in the current market environment is challenging and believes that the definition of vehicle availability should be revisited. The selection of available ZEVs remains limited, much less one that would meet our specialized needs for utility vehicles. The current language still fails to address the fundamental fact that a public agency utility has unique vehicle specification needs that should be considered when determining ZEV availability. While LADWP appreciates the three additional criteria, LADWP continues to urge CARB to reconsider the rest of the criteria previously proposed by the utilities.

LADWP reiterates its previous recommendations to establish clearly defined and objective criteria for vehicle availability and not limit the availability criteria to be simply based on vehicle configuration. Utility vehicles must be capable of performing specific

functions expected of public agency utilities. To date, LADWP has deployed ZEVs and participated in pilot programs where issues with weight and payload challenges have impacted operations. Based on LADWP's experience with ZEVs in the field, existing ZEVs are unable to hold the essential tools and equipment that ICEVs can. Additionally, LADWP has encountered issues with operating some of their ZEVs due to service delays and/or parts availability.

The criteria for evaluating ZEV Purchase Exemption requests should comprehensively address vehicle availability, performance, reliability, and maintenance concerns. LADWP continues to strongly recommend that criteria be added to CCR 2013.2(d)(2)(D) to allow fleets and CARB to comprehensively evaluate how the ZEV can be operated and not solely based on whether the configuration is available or not. Most importantly, these include payload, towing capacity, off-road capability, auxiliary functions, and satisfying OEM testing and field-testing requirements, including a weight distribution study and gradeability tests.

Furthermore, LADWP recommends removing the requirement in CCR 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 Exemption

Public agency utilities need to always be prepared for the most extreme scenarios. LADWP's vehicles can be deployed to respond to emergencies of varying degrees of magnitude 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 DUE should account for these cases. To make the exemption feasible, LADWP recommends streamlining the DUE process. LADWP appreciates the inclusion of fuel usage when determining the daily usage need to better represent the total energy usage of a vehicle. However, each iteration of the DUE becomes increasingly complicated. The 15-day changes now provide more calculation methodologies but could potentially require even more data collection than previously proposed. LADWP again provides the following recommendations:

1. Remove the 10 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. 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

vehicles with the same duty cycle exceed the capabilities of a battery electric vehicle (BEV) during the worst-case scenario.

3. Remove the requirement in CCR 2013.2(b)(6) 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 are 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.

ZEV Purchase Schedule Exemptions Requirement

LADWP is concerned about changes to CCR 2013.1(f) and CCR 2013.1(g) that suggest that until 2030, exemptions would not be granted unless a fleet demonstrates that all other vehicles in the purchase plan could not be purchased as ZEVs. This severely limits a fleet's flexibility and forces fleets to either rely solely on the 50 percent purchase requirement in the next few years or submit a substantial amount of documentation for all vehicles that a fleet intends to purchase that year in order to receive an exemption. Furthermore, requiring a purchase plan is impractical as it does not account for each vehicle's unique specifications. A fleet's purchasing plan continually evolves throughout the year based on changes in operational needs, vehicle availability, and other factors beyond a fleet's control.

Fleet Owners and Rentals

The 15-day language modifies the definition of a fleet owner to include all vehicles that are operated for over one year starting in 2027. This is a significant change from the original regulation language where the owner must also be 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 automatically 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 if they are responsible for performing the required maintenance and repairs of vehicles, conducting all regulatory compliance inspections, and maintaining the vehicle registration. The proposed language implies that the rental vehicle will be a part of LADWP's fleet and is subject to the ACF regulation. This contradicts LADWP's understanding that private rental and leasing businesses are not subject to the proposed amendments to the ACF regulations at this time. LADWP recommends keeping the original definition of a fleet owner.

Early ZEV Purchases

The original ACF language states that an “early or excess ZEV purchase counts toward a future requirement,” while the 15-day language restricts these to only count toward the next calendar year. CARB’s interpretation is significantly different and LADWP recommends removing this as it reduces the much-needed flexibility for public fleets. Fleet owners should be given the opportunity to decide which calendar year to count early ZEV purchases. This will continue to incentivize fleets to purchase available ZEVs as early as possible while maintaining the flexibility to utilize the credits for necessary utility vehicle purchases. Multi-year flexibility can also support cost management.

Hiring Compliant Fleets

LADWP understands that the Hiring Compliant Fleets requirement in Article 8 Section 2049 should only apply to fleets that both hire and dispatch specific vehicles. Fleets that hire and dispatch specific vehicles should verify compliance or obtain a signed statement stating the hired fleet is not applicable and provide the disclosure in the hiring contract. Vehicles hired but not necessarily dispatched by state and local government fleets should not be subject to ACF. If CARB’s interpretation is different, LADWP is concerned that it could severely impact LADWP’s bids, and the services needed, if private businesses become subject to the State and Local Government Agency Fleet Requirements.

Near-Zero-Emissions Vehicles (NZEVs)

LADWP understands that no NZEVs currently exist in the medium and heavy-duty vehicle market. If this is the case, LADWP again recommends expanding the scope of the definition of NZEV to include hybrid vehicles (diesel with electric power take-off), compressed natural gas, etc. This will help continue the development of bridge technologies as fleets transition traditional specialty utility vehicles to ZEVs.

Conclusion

CARB Board Members previously enacted Resolution 25-9 which “directs the Executive Officer to utilize the exemption criteria to ensure the regulation has no adverse impact on essential public services and to consult with state and local government entities to resolve their concerns.”⁵ While LADWP appreciates the added flexibilities in the 15-day language, there are other provisions that, in practice, would make it extremely challenging for public utility fleets to comply. Most importantly, some of the requirements

⁵ Amendments to the Advanced Clean Fleets and Low Carbon Fuel Standard Regulations:
<https://ww2.arb.ca.gov/sites/default/files/barcu/board/res/2025/res25-9.pdf>

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make it impossible for LADWP to update its fleet as needed to ensure employees can perform essential public services. It is crucial for this regulation to be workable and to serve as the model to support future electrification goals while maintaining a standard of reliability for LADWP's residents and customers.


LADWP has been at the forefront of electrifying its fleet and evaluating a variety of ZEVs for effectiveness and reliability as they become available. We look forward to continuing discourse with CARB as markets develop and determining the most cost-effective path for LADWP and the state to achieve its decarbonization goals. As part of LADWP's continued efforts to foster a Zero-Emission First Procurement Policy and prioritize ZEV procurement whenever feasible, LADWP purchased several ZEV bucket trucks to enable rigorous real-world field testing. LADWP hopes that its feedback and experience on these pilots will help ZEV manufacturers' research and development efforts and further improve their own products.

LADWP encourages CARB to continue working with stakeholders to make additional revisions to the language to successfully implement the requirements of AB 1594 and the goals of ACF. LADWP appreciates CARB's collaboration with the stakeholders and consideration of the feedback provided and strongly recommends an additional round of 15-day changes.

If you have any questions regarding these comments, please feel free to contact me at (213) 367-0436 or Ms. Andrea Villarin, of my staff, at (213) 367-0409.

Sincerely,

Katherine
Rubin

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Katherine Rubin
Director of Corporate Environmental Affairs

EC:ea

Enclosure

c/enc: The Honorable Lauren Sanchez, Chair, CARB
The Honorable Dr. Steve Cliff, Executive Director, CARB
Ms. Michelle Buffington, Division Chief, CARB
Ms. Andrea Villarin