



WATER AND POWER

June 16, 2026 | Submitted electronically

Chair Lauren Sanchez and Members of the Board
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Chair Sanchez and Members of the Board,

Burbank Water and Power (BWP) is a community-owned utility that provides reliable, affordable, and sustainable water and electric services to more than 50,000 residential and business customers in the City of Burbank. Known as the “Media Capital of the World,” Burbank is home to more than 1,000 media and entertainment companies, including Walt Disney Studios, Warner Bros., and Nickelodeon. As a publicly owned utility (POU), we are focused on transitioning to zero-carbon energy while providing the lowest rates to our residents, businesses, and especially to our disadvantaged communities.

BWP supports the state’s goals to decarbonize. We have been proactively electrifying our fleet: 80% of our car fleet is electric, we have replaced three propane forklifts with electric forklifts, we are replacing our dirty diesel dump trucks with cleaner gas-powered dump trucks, and we recently switched to renewable diesel fuel in our fleet to reduce emissions. BWP has been a leader in vehicle electrification. In 2011, we installed our first electric vehicle (EV) charger. Over the last fourteen years, BWP has installed 59 public chargers and 64 BWP employee/fleet chargers to support our community. We also created an in-house EV charger maintenance and repair program, ensuring our public chargers maintain an uptime of over 99%.

The California Air Resources Board (CARB) passed the Advanced Clean Fleet (ACF) rule, mandating that public fleets purchase zero-emission vehicles (ZEV). However, the legislature has recognized utilities’ critical role in keeping the grid operating, passing Assembly Bill 1594 in 2023. This bill, among other things, created accommodations for POUs when a ZEV is unavailable or unable to meet emergency response or grid reliability needs.

BWP appreciates CARB’s outreach and willingness to listen to our concerns. We especially appreciate CARB acknowledging that the ZEV market for medium-and heavy-duty specialty vehicles has not developed as expected. CARB has taken meaningful steps to address the lack of ZEV availability through the proposal to extend the 100% ZEV purchase requirement to 2030, without penalizing jurisdictions that are challenged by meeting the ACF rule. Furthermore, BWP supports the Joint Public Agencies letter (California Municipal Utilities Association (CMUA), the Southern California Public Power Authority (SCPPA), and the Northern California Power Agency (NCPA).

However, CARB's second 15-day proposed change in the definition of fleet owner raises concerns about the ability to implement the ACF and the impacts on agency operations.

Third-Party Contractors

The new definition of 'Fleet Owner' is a substantive change. While we appreciate CARB's intent to continue clarifying the ACF for successful implementation, the proposed 15-day changes appear to require local fleets to enforce the ACF on private fleets. The new rule applies to contracted fleet (leased vehicles) and third-party contractors.

BWP does not lease vehicles for longer than six months. However, we are highly concerned with the unintended and unanticipated impacts that the rule has on third-party contractors. BWP has over 50 third-party contractors that provide services to the utility. For purposes of this discussion, third-party contractors are defined as vendors that perform services for BWP and do not include companies that provide leased fleet vehicles for BWP operations. Many of these contracts are with highly specialized vendors that help maintain critical infrastructure and assist in emergency response.

For instance, BWP operates the Magnolia Power Project (MPP), a high-efficiency, natural gas-fired combined-cycle plant on behalf of the Southern California Public Power Authority (SCPPA). Critically, the plant provides reliable baseload power for six participants: Anaheim, Burbank, Glendale, Pasadena, Colton, and Cerritos.

We rely on third-party contractors that provide highly specialized services (requiring specific licensing) and cannot be easily replaced. For MPP, we rely on 29 different contractors. Below is an overview of the types of services needed to maintain this critical infrastructure:

- Consultant for chemicals and boiler operations
- Demineralized Water Services
- Brine Water, Non-Hazard Waste Haul
- Specialized chemical treatment services and deliveries
- Boiler repairs and specialty pipe welding
- Gas treatment and waste disposal
- Scaffold and insulation services
- Specialized safety inspection services
- Oil delivery, filtration and cleaning services
- Safety valves testing and overhauls
- Industrial coating services
- Industrial rental equipment delivery
- Safety products and supplies
- Storm water management, environmental & cleaning
- Hazardous Waste Disposal
- Air Quality Testing
- Disposal of Electrical Equipment

The proposed 15-day language will have substantive impacts on our ability to operate the plant efficiently and cost-effectively. Specifically, we anticipate that our third-party contractors will pass along significant implementation costs, resulting in higher costs that will ultimately be passed on to ratepayers and increasing the likelihood that contractors may choose not to work with BWP, which could affect our ability to operate critical infrastructure, such as MPP.

Additionally, the rule does not account for contractual relationships with third-party contractors. At present, we do not require contractors to disclose what vehicles they use. This rulemaking may put a third-party contractor in a position to refuse to comply with our requests for information under the contractual agreement. This would put BWP in an untenable position: either choosing highly specialized contractors needed to maintain critical infrastructure, or adhering to the ACF rule.

Finally, the proposed 15-day language for contracted fleets and third-party vendors is vague and unclear. Changes to Section 2013 (a)(1) appear to expand the definition of fleets, yet this language appears to conflict with the definition of “Fleet Owner” in the regulation. The definition of “Fleet Owner” has been amended, adding confusion throughout the proposed language about which vehicles should be included in agency fleets.

Case Study – 2025 Southern California Windstorm

While we were not directly impacted by the Palisades and Eaton fires, the winds heavily damaged our electrical distribution system. 17,000 customers lost power, or 32% of our customer base. Additionally, critical infrastructure lost power. Burbank has an operable unit that cleans our Superfund Site (A superfund site is a federally designated contaminated site). This unit went down for 7 hours. Our water reclamation plant went down for 10 hours. With these two critical water units down, BWP’s ability to deliver water to the community was severely impacted. Finally, we nearly lost our intertie connection with the Los Angeles Department of Water and Power (LADWP), which would have resulted in Burbank losing power for up to three days.

On January 7, 2025, our crews responded to the emergency. Our crews worked for 10 days (3 days of emergency response, 7 days of emergency recovery), repairing and restoring our local distribution network. Normally, we could count on mutual aid in an event like this. However, our closest partners (Los Angeles, Glendale, and Pasadena) were more heavily impacted by the Palisades and Eaton fires. Thus, we needed to respond to the emergency without outside help.

There are a few important lessons learned from the January 7, 2026, event:

1. **Fleet Deployment:** Our crews worked around the clock during this event. Our utility vehicles rarely returned to the yard; they were onsite repairing our distribution network. Trucks often stayed in the field, and the crews rotated on and off them. An electric truck would not be able to remain in the field this long; it would need to be hooked up

to a power source to recharge. In this situation, in-field charging was not practical given the conditions.

2. **Safety:** Our crews worked in dangerous situations during this event. Forcing a vehicle to return for charging loses time for vital emergency repairs and creates a situation where the truck may not be able to return to the yard/repair site due to debris. Standard industry practice is to finish an emergency repair before leaving the site.
3. **Recovery Time:** Our distribution system was fully restored on Saturday, January 11th. Using a fully electric fleet would have pushed out that time. As an example, one electric bucket truck model with a separately powered boom can only work in the field for 6-8 hours before needing to recharge the boom. Fully charging the boom would take about 5 hours since it can only be charged with a Level 2 charger. This would have delayed repairs by an extra 4 days. It also does not account for needing to recharge the truck once the battery begins to be depleted, which would likely take an additional 1 to 2 hours with a DC fast charger.

As California moves to decarbonize, keeping a stable, reliable grid becomes much more critical. A critical component of maintaining a reliable grid is having vehicles that can respond to an emergency. The current ZEV marketplace does not produce vehicles that can meet our requirements to respond to emergencies.

Conclusion

We appreciate CARB staff's engagement on this issue. We fully agree with CARB staff comments that the agency wants to implement an ACF rule that continues "carbon reductions in a cost-effective manner."

The proposed 15-day language is overly broad with respect to contractors and third-party vendors. The proposed changes do not fully account for contractual obligations or the impacts on critical infrastructure. BWP suggests that CARB simplify rules around contractors and third-party vendors. Specifically, CARB should focus on voluntary data collection on contractors and third-party fleets rather than creating additional complexity and costs for agencies.

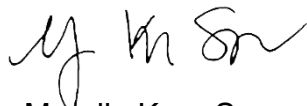
Another concern with the ACF and the proposed 15-day requirement is the implementation process itself. This rule has now gone through two 15-day language changes. Yet, we understand that CARB may propose a new ACF rulemaking once the present process is complete. Investing in ZEVs and the corresponding infrastructure needed to support ZEV takes years of planning and investment. The current ACF process has created regulatory uncertainty. For instance, CARB has released regulatory guidance that does not appear to be binding or written into the ACF.

The City of Burbank has set a goal to fully electrify its City fleet by 2045. However, within this goal is an exception for heavy-duty and emergency response vehicles. This is critical to ensuring the reliability of our grid, especially during emergencies. BWP projects that our electrical load will increase by 40% over the next 10 years. To serve our community

effectively, we need utility vehicles that can handle the utility's day-to-day jobs while maintaining reliability and emergency response capabilities.

While we understand that CARB needs to implement this rule to satisfy other legal requirements, we would propose a future concept for a workable ACF rule. Specifically, CARB should consider the immediate cost impacts of implementing the rule versus a longer runway to allow utilities to invest in ZEVs (and the corresponding infrastructure) that can be spread out over years, thereby reducing any immediate ratepayer impacts. This would also allow the ZEV market for medium- and heavy-duty specialty vehicles to develop, providing vehicles that meet utility standards and operational requirements. This is especially important given that electric rates are already being impacted by compliance with the state's energy goals, such as SB 350 and SB 100.

Sincerely,



Mandip Kaur Samra
General Manager, Burbank Water and Power

Cc: The Honorable Lauren Sanchez, Chair, CARB
The Honorable Dr. Steve Cliff, Executive Director, CARB
The Honorable Caroline Menjivar, California State Senate
The Honorable Nick Schultz, California State Assembly
The Honorable Benjamin Allen, Chair of the Committee on Energy, Utilities and Communications
The Honorable Cottie Petrie-Norris, Chair of the Utilities and Energy Committee