THE GREENLINING INSTITUTE

The Greenlining Institute
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May 15, 2024

California Energy Commission
715 P Street
Sacramento, CA 95814

Re: Docket 22-EVI-04 (Electric Vehicle Charging Infrastructure Reliability)

The Greenlining Institute ("Greenlining"), works toward a future where communities of color can build wealth, live in healthy places filled with economic opportunity, and are ready to meet the challenges posed by climate change. Greenlining greatly appreciates the opportunity to submit public comments to the California Energy Commission to guide the implementation of charging infrastructure reliability standards.

Support for Alignment with NEVI Standards
We support the alignment with NEVI standards on the new 97% uptime requirement and commend CEC staff on incorporating this update since the first draft. Ensuring consistency across regulations creates a more seamless experience for charging providers, drivers, regulators, and advocates alike.

Limit Downtime Reporting Exclusions
In alignment with 2022 comments on the first staff draft submitted by Sierra Club California, Union of Concerned Scientists, Natural Resources Defense Council, Coalition for Clean Air, and Environmental Defense Fund[1], we support requiring charging providers to report **all** downtime incidents for transparency. While understanding that some of the current excluded downtime categorizations are beyond control, having full data transparency is insightful to understanding the complete picture of a charger's efficacy and addressing any controllable factors. For example, if certain excluded downtime incidents such as vandalism repeatedly occur in the same charger stations, it may warrant considering relocating the charger or implementing additional mitigations to reduce downtime.

Equity Concerns Around Interoperability
We want to emphasize the need to address interoperability as an equity issue. While EV sales are surpassing statewide goals at large, EV adoption for low-income and disadvantaged households is still lagging behind. One concern is that as technology rapidly advances, we will see interoperability issues with older EVs. As the draft itself acknowledges, facing reliability problems creates a more negative perception of EVs and EV charging for drivers. In order to encourage EV uptake in low-income and disadvantaged communities, we must improve this negative perception and address the real compatibility gaps that create barriers to adoption.

[1] 5 Businesses - Comments on Reliability Standards

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Location Data Transparency

We have concerns about the automatic designation of confidentiality for location data of private and shared private chargers. While we understand the need to protect personally identifiable information and support doing so, making select charger location data unavailable hinders the ability to accurately monitor progress in equitable deployment efforts. A locale that may show up as a charging desert based on public charger location data could actually have ample private chargers for residents. On the other hand, without real data transparency, assumptions could be made that more private charging stations are available to residents than there are in reality– an assumption that would hurt drivers in low-income and disadvantaged communities as they are less likely to have access to private home charging and therefore rely more heavily on public chargers[2]. In order to eliminate the possibility of faulty assumptions and to be able to prioritize deploying charging infrastructure in the areas that need it the most, it is important to have a full and accurate picture of all charging options within a community. However, so as to not create confusion for drivers looking for a public place to charge, we recommend that data for private and shared private chargers is not shared with third-party apps.

Third-Party Data Sharing Requirements

On third-party data sharing, we suggest that guidelines be put in place specifying that shared data must be used towards the intended purpose of increasing public access to chargers, **free-of-charge**. We also recommend monitoring for potential unintended effects after charger information is integrated into third-party apps. In the past, navigation apps have created new traffic patterns based on how they algorithmically prioritize efficiency[3], including routing cars through residential neighborhoods and on minor roads where there is higher risk of collisions[4]. In such cases, the aggregated impacts of rerouting could worsen traffic safety and also create higher pollutant emissions in these communities. It is important that increasing public access to charger data does not create unintended harmful consequences and that any such impacts, once detected, are quickly mitigated.

We appreciate the opportunity to comment on the CEC's proposed regulations. We look forward to continuing to track progress on this effort. Please do not hesitate to reach out to Marissa Wu (marissa.wu@greenlining.org) with any questions or to schedule time to discuss our recommendations further.

Best regards,

Marissa Wu

Transportation Equity Program Manager

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[2] Hsu and Fingernan (2021), Transport Policy, https://www.sciencedirect.com/science/article/pii/S0967070X20309021

[3] Cabannes et al. (2018), Transportation Research Board, https://trid.trb.org/View/1495267

[4] https://citymonitor.ai/environment/infrastructure/google-maps-local-traffic