



June 9, 2023

Kevin Day
Interim Executive Director
California Building Standards Commission (BSC)
2525 Natomas Park Drive
Sacramento, California 95833-2936

RE: Comments on the Additional 15-Day Express Terms and Rationale for Proposed Building Standards of the California Building Standards Commission Regarding the 2022 Intervening Code Adoption Cycle, California Code of Regulations, Title 24, Part 11

Dear Mr. Day:

On behalf of the undersigned signatories, thank you for the opportunity to comment on the additional 15-day Express Terms for the 2022 California Green Building Standards Code, Part 11, Title 24. We very much appreciate the time and effort that you and your staff have invested into the public process with us and other stakeholders, and BSC's consideration of our proposals and others from stakeholders.

We especially appreciate the consideration BSC staff has provided regarding our recommendations to adjust language related to the power allocation method to allow it to apply to requirements for both EV charging stations (EVCS) and EV capable spaces. We strongly support these changes, represented in Item 5-9. These amendments to the code will provide developers greater flexibility and equitable treatment among charging solutions, while also increasing access to charging infrastructure in-line with the State's climate change goals.

We note, however, ongoing ambiguity associated with the changes in Item 5-10, and specifically the addition of footnote 4. We expect that the intent of that addition is to ensure that EV capable spaces developed pursuant to the power allocation method, included in Section 5.106.5.3.6, still comply with the EV capable space requirements, noted in (1)-(4) of Section 5.106.5.3.1 Accordingly, we recommend a slight clarifying amendment to footnote 4 in Item 5-10, as follows:

If EV capable spaces are utilized they shall meet ~~the~~ requirements (1)-(4) of Section 5.106.5.3.1 EV capable spaces.

These changes would clarify that the intent is not to require that EV capable spaces to be developed at levels identified in Table 5.106.5.3.1, but at the standards outlined in (1)-(4) of 5.106.5.3.1, if EV capable spaces are utilized in the power allocation method.

The 15-day changes in Item 5-9 and our slight proposed modifications to the proposed 15-day changes in Item 5-10 support HSC 18930 nine-point criteria numbers 3, 4 and 6. In summary:

- **Item 5-9:** We strongly support the 15-day changes to Section 5.106.5.3.6 Electric vehicle charging stations (EVCS)-Power allocation method.
- **Item 5-10:** We encourage slight changes to footnote 4, as identified above, to clarify that the reference applies to the technical requirements (1)-(4) for EV capable spaces, rather than numerical requirements for EV capable stations in Table 5.106.5.3.1.

Finally, we note that in previous comments, we also advocated for clarification that direct current fast chargers (DCFC) can be used in a 1-to-5 ratio for compliance with requirements for both EV capable spaces and EVCS. Our understanding is that that is indeed the intent, provided that the 1-to-5 ratio is applied to requirements for EV capable spaces and EVCS independently. We encourage further clarifying language to that effect either in the Express Terms or subsequent guidance documents.

Thank you very much for your consideration of these comments and your ongoing engagement with stakeholders through this public process.

Sincerely,

Matthew Estipona
Associated Builders & Contractors Northern California (ABC NorCal)

Kristian Corby
California Electric Transportation Coalition (CaETC)

Orville Thomas
CALSTART

Anthony Willingham
Electrify America, LLC

Noah Garcia
EVgo

Adam Mohabbat
Wallbox

Kevin Loscotoff
Walmart

cc: Joshua Cunningham, California Air Resources Board
Simon Lee, California Energy Commission