





March 24, 2025 | Submitted electronically

Liane Randolph, Chair California Air Resources Board 10001 | Street, Sacramento, CA, 95814

Dear Chair Randolph,

As organizations consisting of publicly owned electric, water, and wastewater utilities throughout the state, we remain committed to effective implementation of the Advanced Clean Fleets (ACF) rule and electrifying our medium- and heavy-duty vehicle fleets where feasible. Based on recent discussions with CARB staff, we are hopeful that the AB 1594 rulemaking will address the necessary changes to ensure that the ACF rule promotes fleet electrification without compromising the responsibilities of public agency utilities to effectively respond to emergency events and maintain essential water and electric utility services. This is a top priority for our members, underscored by the vital role utility vehicles played during the January 2025 Southern California fires and windstorm as described in this letter.

As currently written, beginning in 2027, the ACF rule establishes strict requirements for public agency utilities to purchase zero-emissions vehicles (ZEVs) exclusively, including specialized utility vehicles. While the rule includes several exceptions, the conditions for use are extremely limited and do not adequately reflect the operational needs of utilities. Concerned about the lack of reasonable flexibility to accommodate unique utility operations and emergency response, the legislature passed AB 1594 (Garcia, 2023) to address procurement requirements for vehicles "…needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks, as specified." The bill also recognizes that ZEV procurement plans should be "reasonably tailored" for each public agency utility.

As clearly illustrated during the January 2025 Southern California fires and windstorm, our members' power and water crews – relying on their medium- and heavy-duty specialty vehicles – are an integral part of local emergency response efforts. For over four weeks in the Pacific Palisades, the Los Angeles Department of Water and Power (LADWP) crews and mutual aid partners worked 16-hour shifts, seven days a week, to support police and firefighters, address damaged infrastructure, and restore power to over 400,000 customers. Crews responded to multiple outages while simultaneously redirecting resources to the Pacific Palisades to aid the Cal Fire response. Other public agency utilities, including water and electric utilities, throughout the region performed similar work in response to the Pacific Palisades and Eaton fires and damage from the hurricane-force winds.

It is important to note that in the Pacific Palisades fire and windstorm, the electric grid was badly damaged, including some damage to the limited electric vehicle infrastructure currently available to charge medium- and heavy-duty ZEVs. Even without damage to the grid and EV charging infrastructure, coordinating charging for a vast number of vehicles responding to the emergency would have required removing those vehicles from the field for a disruptive amount of time. This event required public agency utilities to carefully manage their resources, including vehicles, with little to no downtime, to protect life and property. LADWP had attempted to stand up 20 electric vehicle charging stations as well as solar powered chargers in close proximity to the burn area, but could not do so due to various logistical issues. Because of these early market challenges, LADWP was not able to deploy any of its electric vehicles to this incident. Other public agency utilities impacted by the fire and windstorm events similarly were unable to deploy their ZEVs in response and for mutual aid.

These wildfires are just one recent example of the increasingly challenging emergency conditions to which utilities must rapidly respond. It is vital to recognize that these events are occurring more frequently and with greater severity than in the past, and include new and unprecedented challenges posed by extreme weather and the impacts of climate change. When utilities are needed to support first responder operations or restore services interrupted by unexpected events, they must be able to respond rapidly, and often for extended periods of time in remote areas.

Additionally, there are recent events that will materially affect ACF implementation that must be considered. This includes the change in ACF enforcement for privately owned fleets which will likely impact production and costs of specialized ZEV utility trucks, as well as the scope of available vehicles, in an already niche market. President Donald Trump also signed the "Unleashing American Energy" executive order on January 20, 2025, which, among other things, calls for eliminating electric vehicle subsidies in the Inflation Reduction Act (IRA), which currently include \$7,500 to \$40,000 for medium- to heavy-duty vehicles. To the extent these actions impact the ZEV market availability the ACF rule must provide public utility agencies reasonable flexibility in making purchasing decisions that affect rate affordability for their customers.

The operative language in AB 1594 specifically addresses the need for the ACF rule to accommodate each public utility's ability to "maintain reliable service" and respond to "major foreseeable events." **Public agency utilities must maintain the ability to support their wide** range of operations and ensure an available fleet of vehicles to provide reliable service and respond to emergencies of any scope. This is why it is important for the AB 1594 rulemaking to support public agency utilities' essential operations, and recognize the expertise of local officials in determining the type of medium- and heavy-duty utility specialty vehicles needed to support public safety in their communities.

We appreciate CARB's recent decision to delay the AB 1594 rulemaking in order to give greater consideration to these important topics. We are fully committed to working with CARB on a workable implementation of AB 1594 and the ACF rule that promotes fleet electrification but on feasible timelines, while ensuring public agency utilities maintain the ability to perform their essential operations and meet the unique challenges and circumstances facing public agency utilities.

We look forward to working with staff to identify a workable framework that protects our public agency utility members' communities.

Thank you,

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CC: Dr. Steve Cliff, Executive Director

¹ The Southern California Public Power Authority (SCPPA) is a joint powers authority whose members include the cities of Anaheim, Azusa, Banning, Burbank, Cerritos, Colton, Glendale, Los Angeles, Pasadena, Riverside, and Vernon, and the Imperial Irrigation District. SCPPA Members serve nearly 2.3 million California homes and businesses over 9,000 square miles.

² The Northern California Power Agency (NCPA) is a nonprofit California joint powers agency established in 1968 to construct and operate renewable and low-emitting generating facilities and assist in meeting the wholesale energy needs of its 16 members: the Cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, Shasta Lake, and Ukiah, Plumas-Sierra Rural Electric Cooperative, Port of Oakland, San Francisco Bay Area Rapid Transit (BART), and Truckee Donner Public Utility District—collectively serving nearly 700,000 electric consumers in Central and Northern California.

³ The California Municipal Utilities Association is a statewide organization of local public agencies in California that provide electricity and water service to California consumers. CMUA membership includes publicly owned electric utilities that operate electric distribution and transmission systems. In total, CMUA members provide approximately 25 percent of the electric load in California and serve 75 percent of California's water customers.