

Questions and Answers

Hydrogen Refueling Infrastructure

GFO-19-602

March 13, 2020

The following answers are based on the California Energy Commission (CEC) staff's interpretation of the questions received. It is the Applicant's responsibility to review the purpose of the solicitation. The CEC cannot give advice as to whether or not your particular project is eligible for funding, because not all proposal details are known.

ADMINISTRATION/PROCESS

Q1: In the case where an Applicant places a purchase order for equipment, prior to the Notice of Proposed Award (NOPA), would the equipment expenses be eligible for match or reimbursement if no payments have been made?

A1: Purchase orders, by themselves, are not typically considered an incurred expense. Expenses are incurred at the date of legal obligation, for example, the date of the equipment contract execution or the date of the equipment invoice, whichever is earlier. If a contract is executed or an invoice is dated between the NOPA and the CEC agreement execution date, the expense is eligible as match share. If a contract is executed or an invoice is dated after the CEC agreement execution date, the expense is eligible as reimbursable or match share.

Q2: Is property in escrow adequate documentation of site control for Critical Milestone 2?

A2: Yes, a property in escrow is adequate documentation of site control for Critical Milestone 2. If an Applicant is proposing to purchase the property on which it proposes to build a station instead of leasing the property, then having the property in escrow to purchase the property is adequate documentation of site control for Critical Milestone 2.

Q3: Does a CEQA determination need to be made by the authority having jurisdiction (AHJ) prior to a CEC Business Meeting approval of a proposed agreement to fund a hydrogen refueling station?

A3: A CEQA determination by the AHJ is not required prior to a CEC Business Meeting approval of a proposed agreement, but is encouraged because having such a determination can expedite the CEC's ability to do its own environmental review. Failure

to receive such a determination has the potential to delay the CEC's ability to do its own environmental review, potentially resulting in award cancellation.

For CEQA compliance purposes, the CEC encourages proposed stations to be sited at an existing fueling station (Application Manual Section III.D.13.), especially if the stations will be in the initial batch or in an early batch. In most cases, the CEC will act as a responsible agency in making a CEQA determination and the AHJ responsible for project permitting can make its own determination as the lead agency. Applicants are strongly encouraged to work with each AHJ before application submittal to understand what the AHJ CEQA determination will likely be for stations in the initial batch of stations and any other station addresses being provided at the time of application.

It is especially important for an Applicant to identify if a station is not likely to be categorically exempt from CEQA and will require more extensive CEQA review. If proposing a station that will not likely be categorically exempt from CEQA, an Applicant is strongly encouraged to obtain a CEQA determination from the AHJ before submitting that station address in a batch for approval to the CEC. Please see Application Manual Section I.O., "CEQA Compliance," for more information, added via Addendum 2 to GFO-19-602. This addendum also removes text on page 6 of the CEQA Worksheet (Attachment 7).

Q4: Will the applications be made available to the public?

A4: Applications will be held confidential until the NOPA for GFO-19-602 is released, after which point applications are no longer confidential and copies can be requested by contacting the Commission Agreement Officer listed in the solicitation.

Q5: If a group of stakeholders wishes to apply as a Consortium and is awarded funding, will it be possible for them to change the owner of the station(s) once that entity has been established? Through a Consortium, key members of the project team would remain committed for the life of the project.

A5: Requests for changes to the grant Recipient are not encouraged. Novations are unusual and, like all requests for changes to the grant agreement, at the discretion of the CEC. The procedure for making changes to Recipients and subcontractors are provided in the GFO-19-602 Clean Transportation Program Terms and Conditions (Attachment 9), Section 8.

Q6: How can stations likely to become open retail after 2023 satisfy Critical Milestone 2?

A6: Applicants must provide general information about the number of stations in each batch and in the tranche in the GFO-19-602 Application Form, Attachment 1A. At the time of application, Applicants must provide addresses and have Critical Milestones 1

and 2 completed for the stations in the initial batch and any backup stations. For any stations in a subsequent batch (for which an address is not provided in the application), including stations likely to become open retail after 2023, these items can be completed later, when the Recipient requests adding the subsequent batch to their agreement per the process described in Application Manual Section I.J.

Q7: Do we need to meet Critical Milestones 1 and 2 at the time of application for subsequent batches to be included in a Tranche, even for those that may become open retail as far out as 2026-27?

A7: No, Critical Milestones 1 and 2 do not need to be met for stations in subsequent batches, including those that may become open retail as far out as 2027, at the time of application unless the Applicant is providing the address of the station in Station Information, Attachment 1B, of its GFO-19-602 application. Critical Milestones 1 and 2 must be completed for any stations in subsequent batches for which the Applicant is providing the station address on Station Information, Attachment 1B. Applicants are not required to provide the station address for any stations in subsequent batches at the time of application. Critical Milestones 1 and 2 must be completed at the time of application for backup stations. A Recipient must meet all four Critical Milestones for a station before receiving any reimbursement for that station (Application Manual Section I.N. and the Special Terms and Conditions, Attachment 10).

Q8: Can stations from a subsequent batch qualify as a backup site for a preceding batch?

A8: Yes, stations from a subsequent batch can qualify as a backup site for the initial batch of stations (note that the backup stations list will only be used if any stations submitted for the initial batch must be replaced on the NOPA due to the proximity requirements described in Application Manual Section I.J.6.). A station(s) can be listed on both the backup stations list and in the subsequent batches list of Station Information, Attachment 1B, of GFO-19-602. However, stations *must* be listed on the backup stations list (second tab of Attachment 1B) to be used as a backup station. Conversely, if the Applicant wants a station address to be reserved for a subsequent batch, that station address *must* be listed on the subsequent batches list (third tab of Attachment 1B).

Q9: Is Critical Milestone 2 required for backup sites?

A9: Yes, Applicants must provide the station addresses, proof of meeting Critical Milestones 1 and 2, and completed CEQA Worksheets (Attachment 7) and Localized Health Impacts information (Attachment 8), for all backup stations in their application, as described in Application Manual Section I.J.2.

Q10: If an Applicant is uncertain about moving forward on subsequent sites or batches, should the Applicant include them?

A10: No, if an Applicant has not completed or has no plans to meet Critical Milestones 1 and 2, or is otherwise uncertain about a station location in a subsequent batch, they should *not* submit that station address on Station Information, Attachment 1B. An Applicant is committing to completing all the stations in all of the batches they include in the proposed tranche when they apply under GFO-19-602, regardless of whether they provide the station address at the time of application. However, they only need to commit to the station *sites*, meaning addresses, for those stations in the initial batch of stations and for any backup stations in an application.

Q11: Can an Applicant claim as-yet-unidentified sites for subsequent batches in the tranche, even if Critical Milestone 2 is not met by including them in the tranche budget? Without Critical Milestone 2, the Applicant would only reference the future number of stations but not list the sites. Is that a correct approach?

A11: This is a correct approach. Applicants must submit the station addresses for the initial batch of stations and any backup stations at the time of application. Applicants are not required to submit station addresses for any stations in subsequent batches, so the sites do not need to be identified in the application. Applicants need to provide the total number of stations that they are proposing in their tranche, the total number of batches they are proposing in their tranche, the total 24-hour capacity of the tranche, the total 24-hour capacity of each batch in the tranche, and the total grant funding and match funding for the tranche. Additional information about the initial batch of stations must also be provided. This information is requested in the Application Form (Attachment 1A).

Q12: If an Applicant provides station addresses for a subsequent batch, in the GFO-19-602 application, will those stations be funded before another Applicant's subsequent batch for which addresses were not provided in their GFO-19-602 application?

A12: No, the funding awarded, as a tranche, to a Recipient is available for subsequent station batches on a first-come, first-served basis provided all of the conditions in Application Manual Section I.J.3 and other applicable conditions are met, and given acceptable performance of said Recipient, even if other Recipients submit their subsequent batch addresses first. The CEC will award projects up to the point of the total expected funding (\$115.7 million as of the preparation of this Q&A). Therefore, there should be funds available, over time, for each awarded project to finish all its proposed batches, subject to future funding appropriations and Clean Transportation Program Investment Plan funding allocations. All of the conditions listed in Application

Manual Section I.J.3. must be met for a Recipient to receive CEC approval for its next batch. A Recipient must not exceed the Single Applicant Cap at any time, and may or may not receive funding for subsequent batches depending on said Recipient's success with their previous batch(es).

Providing addresses for subsequent batches at the time of application will result in those station addresses being considered for listing on the NOPA. For Applicants receiving awards, those station addresses will be considered part of the station network in evaluating station proximity (Application Manual Section I.J.6.).

Q13: If an Applicant provides station addresses for a subsequent batch at the time of application, will they be reserved for that Applicant until the funding becomes available?

A13: Yes. However, not meeting the expected schedule for station completion (Application Manual Section I.J.4.) may result in a Recipient's reservations for subsequent batch stations being rescinded.

Q14: Section I.N. mentions the CEC will not pay the Recipient unless the Recipient meets all four Critical Milestones by the dates specified in the Schedule of Products and Due Dates. Does that mean if a station falls behind schedule that it will not receive funding?

A14: Until the Recipient completes all four Critical Milestones for a station, that station is not eligible for any reimbursement of eligible expenses. If an Applicant does not complete all four Critical Milestones for a station by the dates specified in the Schedule of Products and Due Dates, the only way for the station to receive reimbursement is for the CEC to approve an amendment to the Agreement to change the dates. Recipients should not assume requested amendments will be approved by the CEC. Reimbursement of eligible expenses will be on a per station basis according to the stages described in Application Manual Section I.K.

Q15: Critical Milestone 3 involves meeting with representatives of the utility company serving each proposed stations. How would an Applicant meet Critical Milestone 3 if a proposed station is not serviced by a utility company?

A15: Applicants are not required to submit proof of meeting Critical Milestone 3 as part of the application to GFO-19-602. Rather, each Recipient must complete Critical Milestone 3, per station, as part of the scope of work for a project awarded under this solicitation. Addendum 2 clarifies that Critical Milestone 3 is only applicable to stations that will be serviced by a utility.

Q16: Should Pacific Northwest National Laboratory (PNNL) be considered a project partner and/or member of the project team?

A16: For the work that the PNNL Hydrogen Safety Panel (HSP) will do, as described in Application Manual Section II.M. (Hydrogen Safety Plan review, early station design review, and annual safety evaluation), the PNNL HSP should not be listed as a project partner or member of the project team.

Q17: Attachment 2, Scope of Work, Task 2, addresses a Hydrogen Safety Plan. Is there any advantage to submitting the Hydrogen Safety Plan with an application?

A17: No, there is no advantage to submitting the Hydrogen Safety Plan with an application. The Hydrogen Safety Plan should not be submitted to the CEC as part of an application to GFO-19-602. Per Application Manual Section II.M., it is up to the Recipient to work directly with the PNNL HSP to prepare and submit the Recipient's Hydrogen Safety Plan to the PNNL HSP. If the Recipient wishes the plan to be kept confidential by the HSP, it is up to the Recipient to work with the HSP to achieve that.

Q18: Could a subcontractor develop the Hydrogen Safety Plan and the Applicant claim the associated labor or costs of the service as match?

A18: No. Match share costs are limited to actual, allowable equipment expenditures as described in Application Manual Section II.F.

Q19: Will the California Air Resources Board (CARB) produce a method to calculate greenhouse gas (GHG) emissions reductions, similar to what was done for the Low Carbon Fuel Standard (LCFS) program, or does the CEC have a specific methodology for us to follow to calculate GHG emissions reductions?

A19: Applicants should use the same methodology as used in the LCFS program to calculate GHG emissions reductions (see Application Manual Section III.D.3.a.).

Q20: The Hydrogen Refueling Station Design and Performance criterion references providing photographs and drawings for proposed station location sites. Depending on the number of stations included in an application and in an effort to ensure photos/drawings are legible, the photos/drawings could take up a considerable portion of the 60-page limit. Would the CEC consider allowing photos/drawings to be outside the page count as in the previous GFO?

A20: Yes. The CEC is excluding photographs and drawings of proposed station location sites from the 60-page limit for the project narrative. With Addendum 2, photographs

and drawings of proposed station sites should be submitted as a separate attachment (Application Manual Section III.D.) and do not count towards the 60-page limit.

Q21: Is there guidance on incidence severity in reporting?

A21: Yes, the NREL Data Collection Tool, Safety & Leak Checks tab includes a list of descriptions for severity.

Q22: Will the CEC consider location changes for stations other than those deemed nonviable following an award, and if so, what process would the CEC follow?

A22: Without knowing the circumstances that would require a Recipient to change locations even though the station is nonviable, the CEC staff cannot answer whether the CEC would approve such requests. The processes that the CEC will follow for considering requests for location changes in the event of station delays and nonviable stations are described in Section I.J.5. of the application manual. Please also refer to the Clean Transportation Program Terms and Conditions, including Section 8, Changes to the Agreement. Recipients should not assume that CEC will approve station relocations requests.

Q23: If a site design changes following an award, can an Applicant request a change to the awarded funding amount?

A23: CEC staff will not recommend approving such a request.

Q24: Must an Applicant run the Hydrogen Station Capacity Evaluation (HySCapE) model with a midday refill of hydrogen for the station?

A24: Applicants shall use the HySCapE default settings as described in the CARB LCFS Hydrogen Refueling Infrastructure (HRI) Program (see Application Manual Section II.B.3).

Q25. May an Applicant show a calculation, outside of HySCapE, for mass flow, provided they explain the method in the application?

A25. Yes. Applicants may show calculations, outside of HySCapE, to address evaluation criteria, such as in Hydrogen Refueling Station Design and Performance and Social and Environmental Benefits to explain how the station design exceeds the minimum fueling capacity. If providing such calculations, Applicants should explain their methods in the project narrative for the Evaluation Committee's consideration.

However, the HySCapE output, and not outside calculations, will be used to calculate the 24-hour fueling capacity for purposes of verifying that minimum capacity requirement of 225 kilograms per fueling position is met (Application Manual Section II.B.3.).

The HySCapE output also will be used to determine the CEC dollar-per-kilogram of the tranche (Application Manual Section III.3.b.iv.).

Q26: Can funding provided through an air quality management district, such as Carl Moyer, be used as match share?

A26: Yes, provided the funding otherwise meets the match requirements specified in the Application Manual and Clean Transportation Program Terms and Conditions. In the example given, the Applicant would be responsible to confirm that using Carl Moyer funding as match under GFO-19-602 is permissible under the Carl Moyer program. The same is true for any other public funding that is proposed as match share. Other sources of CEC funding may not be used as match share (Application Manual Section II.G.2.).

Q27: It is clear in Section II.G.1.a. that the match share expenditures must conform to the terms and conditions of this solicitation. Would you please clarify whether or not "other project expenses" that are not eligible costs must also conform to the terms and conditions?

A27: Yes.

Q28: If an Applicant proposes more than one "type" of station, with differing CEC dollar-per-kilogram and CEC dollar-per-station amounts, should these be identified as discrete line items in the overall Tranche Budget?

A28: Yes, the proposed budget (Attachment 5) should address all proposed station types. It is up to the Applicant to decide the type of notation to use in the budget for the varying station types.

Q29: If an Applicant proposes more than one "type" of station, how will the CEC handle the varying types across batches of stations, while keeping the CEC dollar-per-kilogram and CEC dollar-per station constant?

A29: For each application, regardless of the various station types, the CEC dollar-per-kilogram and the CEC dollar-per-station are calculated using the total CEC funding requested for the tranche, the total capacity in kilogram for the tranche, and the total number of stations in the tranche.

Only one value for the CEC dollar-per-kilogram will be used to determine the funding for each batch, as follows: the kilograms of 24-hour capacity in each batch multiplied by the CEC dollar-per-kilogram of the tranche. The Application Form (Attachment 1A) in the (A) × (B) calculation on page 2 provides an example.

Q30: What if letters of support from co-funders reference dates and timelines after applications for GFO-19-602 are due?

A30: Match Share Commitment letters (Application Manual Section III.D.11.b.) must be from match funding sources that are secure and in place at the time of application. Applicants are responsible for securing at least 50 percent of the eligible equipment costs as match share. The CEC will not accept additional material from Applicants after the application deadline. If an Applicant expects to obtain other source(s) of match share funding after its CEC grant agreement would start, if proposed for award, the Applicant can describe possible substitute match share source(s) and provide letters of support from those sources in their application, if possible.

Q31: Can key project partners be changed after an application is submitted?

A31: It depends. The CEC will not accept additional material from Applicants after the application deadline. If such a change is requested after a grant agreement has been entered into, the Recipient may request the change of the Commission Agreement Manager (CAM) and the CAM will provide information on the next steps. If such a change is requested, it is at the CEC's discretion to approve. Please refer to the Clean Transportation Program Terms and Conditions, Section 8, Changes to the Agreement. The Evaluation Committee may reevaluate the project to determine if the scoring for that particular application would differ with the different key project partners. If the scoring changes, there could be a change in the award ranking on the NOPA and the Recipient may or may not receive approval of the change.

Q32: Is CEC expecting to award at least the full \$45.7 million in funding?

A32: Assuming enough applications receive passing scores to be recommended for awards, the CEC expects to award the full \$45.7 million in available funding to Applicants' initial batches of stations on the NOPA.

Q33: Is the funding awarded as a tranche reserved for a Recipient as available for subsequent station batches, even if other Recipients submit subsequent batches first?

A33: The CEC will award projects up to the point of the total expected funding (\$115.7 million as of the preparation of this Q&A). Therefore, funds are expected to be available over time for each awarded Recipient to deliver its tranche, subject to future funding appropriations and Clean Transportation Program Investment Plan funding allocations. However, a Recipient may or may not receive funding for subsequent batches depending on said Recipient's success with their previous batch(es).

Q34: In Attachment 1A, page 9 it states, "If (an application is) submitted in hard copy, the Applicant's Authorized Representative must sign 'below' for the application to be considered complete." If the application is submitted electronically, should page 9 be signed electronically, in ink, or somewhere else?

A34: If submitting electronically through the Grant Solicitation System (GSS) and checking the "I Agree" box and clicking the "I Agree & Submit" button, the Applicant is providing the required authorizations and certifications (Section III.D.1.). An Applicant may, but is not required to, include a signature on page 9 if the application is submitted and the "I Agree" statements are agreed to through the GSS.

ELIGIBILITY REQUIREMENTS

Q35: Is a Consortium eligible to apply for funding under this solicitation?

A35: An applicant can be any public or private entity as long as the applicant eligibility requirements, listed in Application Manual Section II.A., are met. There must be a single Applicant/Recipient.

Q36: Is the CEC allowing multi-use stations (e.g., light-duty and heavy-duty vehicle fueling)?

A36: Projects are eligible if they meet the requirements described in Application Manual Section II.B., which includes meeting all Minimum Technical Requirements for Open Retail Hydrogen Refueling Stations (Application Manual Section II.I). As stated in Section I.A., the solicitation is for hydrogen refueling infrastructure projects that will expand California's early commercial light duty hydrogen refueling and fuel cell electric vehicle (FCEV) markets, and projects with fueling agreements with fleets of commercial vehicles and transit buses are encouraged.

Q37: Will the CEC allow funding for medium- and heavy-duty-only stations, particularly if they are in a secondary or tertiary batch, pursuant to the allowance for fueling fleets of commercial vehicles?

A37: No.

Q38: Is the hydrogen infrastructure for this grant only for light duty vehicles or could it service heavy-duty freight vehicles as well?

A38: The equipment can be used to serve light duty vehicles, fleets of commercial vehicles, and transit buses, as stated in Application Manual Section I.A.

Q39: Does this grant also cover a freight trucking infrastructure project as well or just for lighter duty fleets?

A39: See previous answers in A36-38.

Q40: Would publicly accessible hydrogen fueling stations designed for medium- and heavy-duty (MHD) fueling be eligible if their primary purpose is not for light-duty refueling?

A40: The solicitation's primary purpose is to expand California's early commercial light duty hydrogen refueling and FCEV markets. Projects that also provide hydrogen refueling for fleets of commercial vehicles and transit buses are encouraged.

Note that all Minimum Technical Requirements for Open Retail Hydrogen Refueling Stations (Application Manual Section II.I), including conforming to the SAE International J2601 at H70-T40 for all light duty vehicle tank mass categories up to 10 kilograms,

must be met at all stations proposed for funding. Note that the refueling experience for light duty customers is a component of several evaluation criteria.

Please also see previous answers in A36-38.

Q41: Is it possible that some funding could be devoted to a future hydrogen station that is dedicated exclusively to public fueling for MHD vehicles?

A41: No.

Q42. Could funding dedicated to MHD vehicles become more likely in subsequent batches, particularly as the State achieves its dual goals of deploying 100 and 200 public hydrogen fueling stations?

A42: No.

Q43: Are there any special considerations or requirements for projects in the different "Area Classifications," particularly "Market Initiation?"

A43: Please see Application Manual Section II.B for project requirements. The requirements for the number of fueling positions at a station depends on the Area Classification of the station location.

Q44: Adding a fueling position to a station may increase usability and customer satisfaction. Can an Applicant add a fueling position to a station, which does not meet the full 225 kg/day throughput, if the Applicant funds the additional hardware needed for this upgrade?

A44: An Applicant can make improvements to a station outside of its project funded under this solicitation, and can describe what those improvements will be in the project narrative if it helps explain the overall plan for station operations. However, the costs for any improvements that are not consistent with the project requirements, such as fueling position capacity or number of fueling positions (Section II.B.), cannot be part of the project budget (both CEC reimbursable and match share). Such improvements also cannot be included in the calculation of the 24-hour fueling capacity of the station.

Q45: Can an Applicant propose to upgrade a station (for example, add a fueling position) to a station that it developed in a previous batch under this solicitation or a station that is still under development under a previous CEC solicitation?

A45: No. The solicitation requires that projects shall not include upgrades to any station with an active CEC agreement to make the station open retail (Section II.B.1.). Because all stations that a Recipient delivers under GFO-19-602 will be done under one agreement by adding batches through amendments, the agreement will always be active and it will not be possible to upgrade stations that were originally funded and

built under GFO-19-602. Moreover, Applicants shall not include upgrades to any station with an active CEC agreement resulting from a previous solicitation.

Q46: The solicitation states that all sites in an approved batch must become open retail within 30 months of executing the Commission Agreement and that the contract must be executed within 90 days of the Commission Business Meeting—approximately December 2020. Is there a mechanism by which an Applicant who is looking to deploy its first station(s) after 2023 could be eligible to apply?

A46: One goal of this solicitation is to expedite station construction to support FCEV deployment in California. Application Manual Section I.J.4. describes the CEC expectations for the station completion schedule and how the CEC will use the schedule as a benchmark to evaluate the Recipient's performance, which may, along with other factors and at the CEC's discretion, affect reimbursement (see Special Terms and Conditions, Section 6, Staged Reimbursement of CEC funds) as well as the CEC's approval of subsequent batches.

The Clean Transportation Program is working to attain at least 100 publicly available hydrogen refueling stations before the end of the program on January 1, 2024, and the evaluation criteria include evaluation of Project Readiness (Section IV.E.). As a result, a project that contemplates a longer-term schedule for station(s) will not be as competitive under this criterion.

Q47: Can a proposed station's hydrogen dispenser be located on the same island as a gasoline or other fuel-type dispenser?

A47: Yes, as long as the hydrogen dispenser has its own fueling position, meaning a FCEV has its own physical space and can fuel simultaneously, for example, with a gasoline vehicle filling at the gasoline dispenser on the same island.

Q48: Has this funding program always required a match share from an applicant?

A48: Within the Clean Transportation Program, match share varies by solicitation. For hydrogen refueling station solicitations, yes, match share has always been required.

Q49: In Section II.B, numbers 2 and 3, it discusses fueling positions. If trained service professionals would be fueling the cars, would these still apply to us?

A49: Yes, all projects submitted under GFO-19-602 must meet the fueling position requirements, along with all other project requirements described in Section II.B. For example, for a station serving a Coverage Growth area, the station must have at least two H70-T40 fueling positions, such that two FCEVs could fuel simultaneously at the station.

ELIGIBLE PROJECT COSTS (CEC REIMBURSABLE AND MATCH)

Q50: Will the installation of onsite solar panels be eligible as an equipment cost?

A50: Yes, as long as the onsite solar panels are allowable and allocable to the proposed hydrogen refueling station, the onsite solar panels meet the definition of equipment in the Clean Transportation Program Terms and Conditions (Attachment 9), and the cost of installation is included in the purchase order for the onsite solar panels.

Eligible costs (Application Manual Section II.F.) are “limited to actual, allowable equipment expenditures only for light duty hydrogen refueling stations and purpose-built refueling infrastructure to accommodate any commercial fuel cell vehicle fleet or fuel cell transit bus fleet. Eligible costs also include any shipping, installation, commissioning, or any other standard service costs included by the equipment supplier in the purchase of the equipment.” See also Clean Transportation Program Terms and Conditions (Attachment 9), Section 17, Payment of Funds, and Section 12, Equipment.

It is up to the Applicant to describe its station design and explain how the costs meet this requirement and the definition of equipment in the Clean Transportation Program Terms and Conditions (Attachment 9). Be aware that the Tranche Budget is the evaluation criterion with the most possible points in this solicitation (Application Manual Section IV.E.), and having the CEC dollar-per-kilogram and CEC dollar-per-station be low and achievable are important factors.

Q51: Are the costs of installing lighting for safety, convenience, and accessibility eligible as match funding?

A51: Yes, as long as the costs otherwise meet the match funding requirements (see Application Manual Section II.G., Match Funding Requirements, and Clean Transportation Program Terms and Conditions (Attachment 9) Sections 17, Payment of Funds, and 18.d, Match Share Requirements), the lighting is allowable and allocable to the proposed hydrogen refueling station, the lighting meets the definition of equipment in the Terms and Conditions (Attachment 9), and the cost of installing the lighting is included in the purchase order for the lighting.

Eligible costs (Application Manual Section II.F.) are “limited to actual, allowable equipment expenditures only for light duty hydrogen refueling stations and purpose-built refueling infrastructure to accommodate any commercial fuel cell vehicle fleet or fuel cell transit bus fleet. Eligible costs also include any shipping, installation, commissioning, or any other standard service costs included by the equipment supplier in the purchase of the equipment.” See also Clean Transportation Program Terms and Conditions (Attachment 9) Section 17, Payment of Funds, and Section 12, Equipment.

It is up to the Applicant to describe its station design and explain how the costs meet this requirement and the definition of equipment in the Terms and Conditions (Attachment 9). Be aware that the Tranche Budget is the evaluation criterion with the most possible points in this solicitation (Application Manual Section IV.E.), and having the CEC dollar-per-kilogram and CEC dollar-per-station be low and achievable are important factors.

Q52: Are equipment costs associated with utility improvements to a site that are required in order to install the station (e.g., electrical upgrades, installation of additional switchgear) eligible expenses?

A52: Yes, as long as costs associated with utility improvements to a site meet the definition of equipment in the Terms and Conditions (Attachment 9) and are allowable and allocable to proposed hydrogen refueling stations.

Eligible costs (Application Manual Section II.F.) are “limited to actual, allowable equipment expenditures only for light duty hydrogen refueling stations and purpose-built refueling infrastructure to accommodate any commercial fuel cell vehicle fleet or fuel cell transit bus fleet. Eligible costs also include any shipping, installation, commissioning, or any other standard service costs included by the equipment supplier in the purchase of the equipment.” See also Clean Transportation Program Terms and Conditions (Attachment 9), Section 17, Payment of Funds, and Section 12, Equipment.

It is up to the Applicant to describe its station design and explain how the costs meet this requirement and the definition of equipment in the Terms and Conditions (Attachment 9). Be aware that the Tranche Budget is the evaluation criterion with the most possible points in this solicitation (Application Manual Section IV.E.), and having the CEC dollar-per-kilogram and CEC dollar-per-station be low and achievable are important factors.

Q53: Can hydrogen production, storage, and delivery trucks be submitted as part of an application?

A53: Onsite hydrogen production equipment and onsite hydrogen storage equipment are eligible assuming they meet the requirements for eligible costs (Application Manual Section II.F.) and meet the definition of equipment in the Terms and Conditions (Attachment 9). Trucks to transport hydrogen to the station(s) are not part of the hydrogen refueling station equipment that are eligible costs (Application Manual Section II.F.) and are therefore ineligible costs.

Q54: Are costs associated with site improvements (e.g., compound enclosure, fencing, lighting, bollards) eligible expenses?

A54: Yes, as long as costs associated with site improvements meet the definition of equipment in the Clean Transportation Program Terms and Conditions (Attachment 9,

Section 12) and are allowable and allocable to proposed hydrogen refueling stations. Eligible Costs (Application Manual Section II.F.) says "...allowable equipment expenditures only for light duty hydrogen refueling stations and purpose-built refueling infrastructure to accommodate any commercial fuel cell vehicle fleet or fuel cell transit bus fleet. Eligible costs also include any shipping, installation, commissioning, or any other standard service costs included by the equipment supplier in the purchase of the equipment."

It is up to the Applicant to describe its station design and explain how the costs meet this requirement and the definition of equipment in the Terms and Conditions (Attachment 9). Be aware that the Tranche Budget is the evaluation criterion with the most possible points in this solicitation (Application Manual Section IV.E.), and having the CEC dollar-per-kilogram and CEC dollar-per-station be low and achievable are important factors.

Q55: Are costs associated with trailblazer signage eligible for match and/or reimbursement?

A55: Yes, as long as the costs associated with trailblazer signage meet the definition of equipment in the Clean Transportation Program Terms and Conditions (Attachment 9, Section 12) and are allowable and allocable to proposed hydrogen refueling stations. Eligible Costs (Application Manual Section II.F.) says "...allowable equipment expenditures only for light duty hydrogen refueling stations and purpose-built refueling infrastructure to accommodate any commercial fuel cell vehicle fleet or fuel cell transit bus fleet. Eligible costs also include any shipping, installation, commissioning, or any other standard service costs included by the equipment supplier in the purchase of the equipment."

It is up to the Applicant to describe its station design and explain how the costs meet this requirement and the definition of equipment in the Terms and Conditions (Attachment 9). Be aware that the Tranche Budget is the evaluation criterion with the most possible points in this solicitation (Application Manual Section IV.E.), and having the CEC dollar-per-kilogram and CEC dollar-per-station be low and achievable are important factors.

Q56: Equipment is defined as an item with a unit cost greater than \$5,000 and a useful life greater than one year. Please define more specifically what is meant by "equipment."

A56: Application Manual Section II.F. defines eligible costs under this solicitation. The definition mentioned in this question is the legal definition of equipment in Attachment 9, Clean Transportation Program Terms and Conditions, and this definition is to be used with the defined eligible costs in the solicitation.

Q57: Are activities that are required by the CEC going to be eligible as match share? For example, Hydrogen Safety Plans, Station Design Review, Annual Safety Evaluations, etc.

A57: No. Match share must be for eligible costs, which are limited to actual, allowable equipment expenditures as described in Section II.F. Therefore, labor costs associated with completing required tasks are not eligible as match share.

Q58: In Attachment 2, Scope of Work, Task 1.7 Identify and Obtain Required Permits states, "Although the CEC budget for this task will be zero dollars, the Recipient shall budget match funds for any expected expenditures associated with obtaining permits." Which expenditures does the CEC envision would be eligible as match funding?

A58: Match share must be for eligible costs, which are limited to actual, allowable equipment expenditures as described in Section II.F. The quoted sentence should not have been included in the Scope of Work and is being removed in Addendum 2 to the solicitation.

Q59: If any existing equipment in an existing station proposed for upgrade is shared in the project, will it be considered for match funding? If yes, what is the formula to calculate match value?

A59: If existing equipment in an existing station proposed for upgrade will be used as part of the upgrade, and that equipment meets the definition of equipment in GFO-19-602, it could be considered as donated equipment that could count towards match share. However, if the CEC paid for the existing equipment under a previous CEC grant, it cannot be claimed as match. The value should be calculated per the guidance in Application Manual Section II.G.1.e.

Q60: Can federal funds be used as match share?

A60: Yes.

Q61: Are project expenses incurred outside the equipment expenditure budget such as Recipient's project manager time, accounting time, report preparation time, site preparation cost for new station, etc., ineligible as match share?

A61: Yes, only allowable equipment expenditures are eligible costs under this solicitation.

Q62: If labor, fringe, travel, subcontracted labor, materials/supplies, and overhead are ineligible as match share, what are examples of “in kind” (other than cash)?

A62: Match expenses and reimbursable expenses are limited to actual, allowable equipment expenditures as described in Application Manual Section II.F. In kind eligible match share could include donated equipment that the CEC did not pay for under a previous agreement.

Q63: Will the lease cost for the site be considered match funding for a new station?

A63: No.

TECHNICAL SCREENING

Q64: How will the capacity attributed to serving the commercial or heavy-duty vehicle side of a proposed station be counted toward a station's total capacity or benefit/cost score?

A64: Applicants will use the HySCapE model to calculate the hydrogen capacity of each station design in their tranche. The HySCapE model assesses station performance in dispensing light duty vehicle-size fills. When running the HySCapE model as used for applications to the CARB LCFS HRI Program (with the required default settings as explained in Application Manual Section II.B.3), Applicants should use the inputs that produce the results that most accurately reflect the station equipment and design, and explain and justify those inputs in the project narrative (Application Manual Section III.D.3.b.iv.).

The HySCapE results will be used to verify project eligibility in terms of each fueling position meeting the minimum 225-kilogram daily capacity requirement (Application Manual Section II.B.), and to calculate tranche capacity. In calculating the benefit/cost score, use the instructions under Tranche Budget in Application Manual Section III.D.3.a.ii. to best estimate greenhouse gas emissions savings. For instance, choose the LCFS pathways and the appropriate vehicle replacement (possibly diesel instead of gasoline if for a larger vehicle), as well as the estimated station usage over 5 years, which is not necessarily the same as capacity. Also, use opportunities in other evaluation criteria, such as Hydrogen Refueling Station Design and Performance, Social and Environmental Benefits, and Approach to Station Selection, to describe in the project narrative the project benefits from serving commercial vehicles.

Q65: If a proposed station can exceed the "Chevron Friday" capacity, can that capacity be included as hydrogen delivered?

A65: The CEC staff interprets this question to concern a station that could provide more capacity than can be reflected in the HySCapE model's Chevron Friday fueling profile. In general, Applicants should use the inputs that produce the results that most accurately reflect the station equipment and design, and explain and justify those inputs in the project narrative (Application Manual Section III.D.3.b.iv.) when running the HySCapE model as used for applications to the CARB LCFS HRI Program.

If an Applicant believes that the best way to reflect the station design is to represent additional available capacity in the form of a hydrogen delivery with that amount of capacity, and for the delivery to be made once the station reaches the default delivery trigger of 30 percent (Application Manual Section II.B.3), then it should explain that and justify it in the project narrative.

EVALUATION CRITERIA

Q66: Will the Localized Health Impacts Information forms (Attachment 8) be evaluated for scoring?

A66: The Localized Health Impacts Information form is a required part of the application and will be reviewed by the Evaluation Committee along with all application materials to ensure the application is complete to pass Technical Screening. The form is primarily used to assist the CEC in developing and publishing a localized health impacts report. The information on this form is not evaluated for scoring purposes.

Q67: What information is needed to support the tranche budget beyond the initial batch of stations?

A67: Applicants should provide all the information requested under Application Manual Section III.D.3.a., Tranche Budget, such that they have addressed all of the sub-bullets under the Tranche Budget evaluation criterion (Application Manual Section IV.E.). Applicants must also complete the information requested on the Application Form (Attachment 1A), and complete the Budget Forms (Attachment 5) for the initial batch of stations. Applicants must also submit match share commitment for the tranche.

Q68: Does providing documentation of CEQA discussions with the local lead agency improve an application?

A68: The evaluation criterion Project Readiness includes the sub-bullet, "Applications will be evaluated on the degree to which they demonstrate progress towards approval by the respective AHJs (i.e., CEQA, entitlements, building permits) for the station locations for which addresses are provided" (Application Manual Section IV.E.). This progress can be described by the applicant in the project narrative, and documentation from the AHJ, if available, should be submitted as part of the CEQA Worksheet (Attachment 7; as described in Application Manual Section III.D.13).

Q69: If a proposed station would be located immediately across the street from a disadvantaged community (DAC) does this count as being inside a DAC?

A69: No. Only stations within a DAC based on the boundaries shown on the [CalEnviroScreen SB 535 disadvantaged community map](https://calepa.ca.gov/EnvJustice/GHGInvest/) at <https://calepa.ca.gov/EnvJustice/GHGInvest/> may be listed as being within a DAC in the Station Information form (Attachment 1B).

In writing the project narrative in response to the evaluation criteria, Applicants should provide the best arguments and evidence they can for how their projects will benefit disadvantaged communities (under Social and Environmental Benefits, Application Manual Section III.D.3.d.).

Q70: If a proposed station would be located immediately across the street from an OEM Priority Hydrogen Station Location Recommended area, does this count as being inside an OEM recommended area?

A70: It is up to the Applicant to decide how to describe station locations relative to an OEM Priority Hydrogen Station Location Recommendation.

In writing the project narrative in response to the evaluation criteria, Applicants should provide the best arguments and evidence they can for how their projects are consistent with the OEM Priority Hydrogen Station Location Recommendations (under Approach to Station Selection, Application Manual Section III.D.3.b.).

Q71: The OEM Priority Hydrogen Station Location Recommendations document contains Groups 1 and 2 Priority Target Markets. Will these garner different scores?

A71: Each application is evaluated individually and based on various factors presented in each application. Simply choosing a site in Group 1 instead of Group 2 does not necessarily mean a higher score automatically. The justification that the Applicant provides for choosing the site, and the methods and approaches used, will be considered by the Evaluation Committee members when determining confidence in responses as indicated in the scoring scale shown in Application Manual Section IV.D.

Q72: Critical Milestone 4 requires awardees to meet with representatives of the hydrogen fuel supplier and Section II.I.9. of the application manual describes the requirement for an Open Retail station to have primary and backup hydrogen supply and delivery agreements. Are there any requirements, or benefits, for disclosing the primary and backup hydrogen providers in the application?

A72: The Applicant is reminded to review the evaluation criteria (Application Manual Section IV.E.) and include the information that you believe gives you the strongest application. For example, such information may support responses you would provide under Project Readiness. Please also review the scoring scale (Application Manual Section IV.D). More information could yield more confidence in the Applicant's response or proposed solution.

MISCELLANEOUS

Q73: Does the CEC have minimum size requirements for trailblazer signage or is the CEC deferring to the requirements imposed by the local jurisdiction in which the sign would be located?

A73: The latter. The CEC defers to the appropriate local jurisdiction for trailblazer signage.

Q74: Are there any CEC requirements for the content to be included on trailblazer signage?

A74: Yes. The requirements are specified in Application Manual Section II.I.12.

Q75: Are there any size or design requirements for on-site signage acknowledging the CEC funding?

A75: The CEC is developing signage requirements for on-site signage acknowledging the CEC funding and will provide future guidance to successful applicants.

Q76: These are the PNNL HSP engagements as we understand them. Is this correct?

a) Initial engagement to establish understanding of process (phone or web-based meeting) – Batch specific.

A76a: This step will be for an Applicant's entire project/tranche.

b) Engagement with PNNL HSP for station design review before submittal of plan check to a jurisdiction – Site specific.

A76b: Early hydrogen station design reviews by the PNNL HSP will be for each station awarded.

c) Preliminary Safety Plan submitted to PNNL HSP – Site specific given unique site layouts but with common equipment.

A76c: Preliminary Safety Plan is for each proposed hydrogen refueling station design.

d) HSP provides comments. Memo sent to CEC per schedule of key dates indicating how comments will be addressed.

A76d: The requirements and products related to developing a hydrogen safety plan as a Recipient are described in Attachment 2, Scope of Work, Task 2.

e) Final submittal of Safety Plan to PNNL - Site specific given unique site layouts but with common equipment.

A76e: Final Safety Plan is for each proposed hydrogen refueling station design.

f) Annual safety evaluation with HSP after station is built, incident reporting and investigations as appropriate – Site specific

A76f: Correct.

Q77: If the same equipment as configured in a “P&ID” is used for one or more stations, does that constitute a single “station design” as referred to in Section M of the application manual or does the layout of equipment at a specific site imply a distinct station design for each individual station?

A77: Assuming a “P&ID” is a piping and instrumentation diagram, this may be a question to ask to the PNNL HSP as part of Critical Milestone 1. As noted in the introduction to this Question and Answer document, a determination cannot be made without having all relevant materials.

Q78: What documentation would satisfy the requirement for providing renewable hydrogen?

A78: The Applicant does not need to provide documentation or proof of already having met the renewable hydrogen requirements (Application Manual Section II.P.) in the application. In the project narrative for the Tranche Budget evaluation criterion (described in Application Manual Section III.D.3.a.), the Applicant needs to calculate the estimated greenhouse gas emissions savings of the tranche to calculate the benefit-cost score. The Applicant should list the LCFS fuel pathway(s) it anticipates its hydrogen, both renewable and nonrenewable, will most closely follow. The Recipient will self-certify that it complies with the Renewable Hydrogen Requirements in Section II.P. of this solicitation by submitting the Open Retail Station Checklist (Attachment 12) for each station once it meets all of the Minimum Technical Requirements for Open Retail Hydrogen Refueling Stations (Application Manual Section II.I).

Q79: Must applications include an LCFS Pathway for renewable hydrogen?

A79: If a project is expected to dispense hydrogen that will have a fuel pathway not yet approved by CARB, the Applicant shall explain the assumptions used in the calculations. The Social and Environmental Benefits evaluation criterion is another area in which Applicants can discuss the sources of renewable hydrogen it intends to use or other emissions-savings features of the project.

MOBILE HYDROGEN REFUELING STATIONS ARE NOT ELIGIBLE UNDER GFO-19-602 PER ADDENDUM 2

Q80: Would the terminology batches mean our "batches" of trucks and our tranches would be our "fleet" of trucks?

A80: Mobile trucks designed to refuel with hydrogen are not eligible under this solicitation. Please see the clarified project requirements in Application Manual Section II.B. in Addendum 2 of this solicitation.

Q81: Would an application change, since our trucks would take the hydrogen directly from a terminal to the consumer?

A81: Mobile trucks designed to refuel with hydrogen are not eligible under this solicitation. Please see the clarified project requirements in Application Manual Section II.B. in Addendum 2 of this solicitation.

Q82: The Expectations for Station Completion Schedule (Section I.J.4.) states Applicants would need approval to build from the respective AHJ. Since we would be building trucks designed to refuel with hydrogen, do we still need this approval or the permit required to operate in those areas? What would the AHJ's approval look like (letter, email...)?

A82: Mobile trucks designed to refuel with hydrogen are not eligible under this solicitation. Please see the clarified project requirements in Application Manual Section II.B. in Addendum 2 of this solicitation.

Q83: "Stations cannot be within 1 linear mile of another station" - if we are mobile and fueling communities, businesses, and individuals in various areas would this still apply to us?

A83: Mobile stations are not eligible under this solicitation. Please see the clarified project requirements in Application Manual Section II.B. in Addendum 2 of this solicitation.

Q84: Critical Milestone 2 states that an Applicant must show proof of "hav[ing] control and possession of the site at which the hydrogen refueling station is constructed." How can this Milestone be met if the Applicant will not be constructing an actual station?

A84: Applicants who are not constructing an actual station will not meet the project requirements. Please see the clarified project requirements in Application Manual Section II.B. in Addendum 2 of this solicitation.