# **Questions and Answers**

**GFO-24-602**

**Charging and Refueling Infrastructure for Transport in California Provided Along Targeted Highway Segments (CRITICAL PATHS) 2.0**

**December 6, 2024**

The following answers are based on California Energy Commission (CEC) staff’s

interpretation of the questions received. It is the Applicant’s responsibility to review the purpose of the solicitation and to determine whether or not their proposed project is eligible for funding by reviewing the Eligibility Requirements within the solicitation. The CEC cannot give advice as to whether or not a particular project is eligible for funding, because not all proposal details are known.

Unless indicated otherwise, all section numbers identified are from Addendum #1 of the solicitation manual (Addendum #1) For example, “Section II.B” refers to Section II.B of Addendum #1.

***Eligible Reimbursable and Match Share Costs***

**Q1:** **What types of non-cash match share costs are acceptable?**

A1: Non-cash match, or “In-Kind” match, is defined in Section II.F of Addendum #1 as: “1) non-cash contributions provided by the Applicant; 2) cash or non-cash contributions provided by subrecipients; and 3) cash or non-cash contributions provided by other third parties. Applicant in-kind match share can be in the form of volunteer labor, real property, existing equipment, existing supplies, services provided by a third-party or subcontract, and other expendable property. The value of in-kind match is based on the fair market value of the goods and services provided at the time it is claimed as match. In-kind match share must be included in the approved agreement budget and supported with appropriate documentation. Cost allocations must be reasonable and allocable to the proposed project.”

Sections II.E through II.G of Addendum #1 discuss eligible project costs for the Applicant’s match share, match share funding requirements, match share restrictions and unallowable match share costs. The list of unallowable match share costs is not exhaustive, and additional items may be unallowable in accordance with the solicitation’s terms and conditions.

**Q2:** **Can National Electric Vehicle Infrastructure (NEVI) funding be stacked with CP 2.0 funding?**

A2: No. While NEVI funding is from the federal government, it is awarded to the State and administered by the CEC. As stated in Addendum #1, Section II.F.4(a), “Other sources of CEC funding may not be claimed as match share. This includes block grants funded by the CEC.”

**Q3: Can project funding received through the Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) be stacked with CRITICAL PATHS 2.0 funding?**

A3:  Yes, project funding received through ARCHES can be stacked with CRITICAL PATHS 2.0 (CP 2.0) funding.

**Q4:** **If a fuel cell using renewable natural gas is used for power generation at a hydrogen refueling station, would that be considered an eligible cost?**

A4: If the natural gas qualifies as a renewable gas, pursuant to the guidelines of the Low Carbon Fuel Standard (LCFS) regulation, the on-site production would be allowed and the production equipment may be eligible as match, but not as a reimbursable expense. Additional information regarding the current LCFS regulation can be found at [RESO 18-34 LCFS Attachment A Final Reg Order](https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf) (https://ww2.arb.ca.gov/sites/default/files/2020-07/2020\_lcfs\_fro\_oal-approved\_unofficial\_06302020.pdf).

**Q5:** **Would a solar photovoltaic power plant and a battery system at the project site be eligible for funding?**

A5: They may be eligible as match share costs, but not as CEC reimbursable costs. As stated in Section II.E., Eligible Project Costs of Addendum #1, “Commercially available energy storage, renewable distributed energy resources (DER), and/or renewable energy generation equipment such as photovoltaic solar panels separately metered for electric charging. Renewable DERs and renewable energy generation equipment must use 100% renewable fuel. For example, a linear generator may use 100% renewable natural gas, 100% renewable hydrogen, or a combination of both totaling 100% renewable fuel” is eligible as match share.

**Q6:** **The application manual states that signage is an ineligible cost, but earlier in the solicitation also states that “This award may cover funding for trailblazer and on-site signage.” Which statement is correct?**

A6: Addendum #1 amends this language to state that trailblazer and on-site signage is eligible as match share, but not as a reimbursable cost.

***Project Eligibility & Requirements***

**Q7:** **Can the project be located outside of one of the six designated corridors, if it is in a priority population? The scoring criteria in the solicitation manual says “and/or.”**

A7: Addendum #1 removes the referenced “and/or.” The project must be located on one of the designated corridors which are provided in Attachment 18.

**Q8:** **If a project has received funding from any of the following programs – Charging and Fueling Infrastructure (CFI), Trade Corridor Enhancement Program (TCEP), Port and Freight Infrastructure Program (PFIP), or CRITICAL PATHS 1.0 (CP 1.0) – under which scenarios would a location be eligible for CP 2.0 funding?**

1. **A project that is located at the same freeway off ramp or seaport, is the same fuel type, but the funding was awarded to another developer.**
2. **A project that is located at the same freeway off ramp or seaport, is a different fuel type, but the funding was awarded to another developer.**
3. **A project that has been awarded funding but may not be moving forward.**

A8: Scenarios (a) and (b) would not be eligible for CP 2.0 funds. Funding for the solicitation is limited, and as stated in Section 1.H, Maximum Number of Applications of Addendum #1, the CEC’s intent is to not fund medium- and heavy-duty (MDHD) refueling/charging projects at the same locations as those that have been awarded funding through other corridor funding programs. The CEC’s intent is to continue to buildout an initial viable MDHD refueling/charging network. Scenario (c) would not be eligible unless the applicant can provide proof, such as a letter from the developer stating that the project is not moving forward.

**Q9:** **Can battery electric charging and a hydrogen refueling project be co-located?**

A9: Yes. If both technologies are installed at the location(s), the technology category that is not applied for in this solicitation may be used as match. For example, if the Applicant submits a charging project, if hydrogen dispensers are included with that project, they may be eligible as match.

**Q10:**  **Can a project include on-site production of hydrogen using solid waste?**

A10: If the hydrogen produced is defined as renewable pursuant to the guidelines of the Low Carbon Fuel Standard (LCFS) regulation, the on-site production would be allowed and the production equipment may be eligible as match, but not as a reimbursable expense. Additional information regarding the current LCFS regulation can be found at [RESO 18-34 LCFS Attachment A Final Reg Order](https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf) (https://ww2.arb.ca.gov/sites/default/files/2020-07/2020\_lcfs\_fro\_oal-approved\_unofficial\_06302020.pdf).

**Q11:** **The application manual states that the project site must have “onsite signage that explains the method of sale requirements.” What is meant by "method of sale requirements?”**

A11: Section II.B.1 of Addendum #1 provides method of sale requirements. Hydrogen project dispensers must comply with the most current version of the Uniform Regulation for the Method of Sale of Commodities Section 2.32 as published in U.S. Department of Commerce, National Institute of Standards and Technology (NIST) Handbook 130, Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality.

Charging projects must have a type approval certificate issued through the California Type Evaluation Program (CTEP) administered by the California Department of Food and Agriculture (CDFA) Division of Measurement Standards (DMS) or Certificate of Conformance issued by the National Type Evaluation Program (NTEP) administered through the National Conference on Weights and Measures (NCWM). California accepts NTEP certificates so long as the device also meets CCR Title 4, Section 4002.11.

Q12: **Is mobile hydrogen equipment, such as storage trailers and mobile dispensers, eligible under this grant?**

A12: No.

**Q13:** **Do all charging positions need to be publicly accessible 24/7, or can some be reserved during certain published hours for dedicated/contracted fleet charging?**

A13: All charging and refueling positions need to be the same ease-of-access for all users. If a reservation system is being used, it must be publicly accessible 24/7 and include signage describing how the reservation system works, with instructions.

**Q14:** **Why does every charger need to accept any truck driver, any time, 24/7?**

A14: The intent of CP 2.0 is to provide quick, reliable charging and refueling to MDHD ZEVs traveling along designated clean freight highway corridors. Because of this, charging and refueling positions need to have the same ease-of-access for all users. Like a diesel-fuel truck stop, truck drivers should be able to stop and charge/fuel while en route to their destinations.

Under CP 2.0, reservation systems are allowed; however, if a reservation system is being used, it must be publicly accessible 24/7 and include signage describing how the reservation system works, with instructions. Proposed projects may utilize a reservation system, allowing drivers the option to reserve infrastructure in advance of charging or refueling; however, if utilizing a reservation system, all infrastructure installed under the proposed project must also allow drivers the option to charge or refuel without a reservation.

The CEC’s second [Electric Vehicle Charging Infrastructure Assessment (AB 2127)](https://www.energy.ca.gov/publications/2024/assembly-bill-2127-second-electric-vehicle-charging-infrastructure-assessment) (https://www.energy.ca.gov/publications/2024/assembly-bill-2127-second-electric-vehicle-charging-infrastructure-assessment) estimates that to support MDHD ZEVs, California will need about 114,500 chargers (109,000 depot chargers and 5,500 en route chargers) for 155,000 vehicles in 2030, and 264,000 chargers (256,000 depot chargers and 8,500 en route chargers) for 377,000 vehicles in 2035. Low-speed depot charging may not be an option for certain types of vehicles such as drayage trucks used for multiple shifts, leased vehicles that do not return to depots overnight, and owner-operator vehicles without dedicated depots.

Approximately 96 percent of trucking companies operate fewer than six trucks and having dedicated, depot charging may not be economically or logistically feasible. The state has a role to help ensure fleets, especially those with more urgent targets under Advanced Clean Fleets (ACF)/Advanced Clean Trucks (ACT) transition successfully to ZEVs. Drayage trucks are one of the more urgent targets under ACF/ACT.

Therefore, the CEC is prioritizing both depot and public (en route) charging and fueling infrastructure. The CEC also provides funding for chargers and refueling infrastructure that is not required to be 24/7 public access. [CEC funding opportunities](https://www.energy.ca.gov/funding-opportunities) are posted on our website (https://www.energy.ca.gov/funding-opportunities).

**Q15:** **There are concerns of security issues. Trucks and infrastructure are expensive and 24/7 public access leads to risk of theft and vandalism. Can sites control access?**

A15: Sites may control access to station locations, as long as they also provide mechanisms for vehicles without a reservation to access the infrastructure. Please refer to Section II.B.10., Project Requirements for more information on accessibility.

**Q16:** **How will workforce development commitments, particularly local hiring and community partnerships, be evaluated?**

A16: All projects must prepare a workforce plan (Attachment 22 of Addendum #1). Section II.B.12 of Addendum #1 provides a bulleted list of the required elements of the plan. Section IV.E provides each criterion that the evaluation team will use to score applications. Applicants are encouraged to review both sections in preparing Attachment 22, which is required.

***Miscellaneous***

**Q17:** **Will the CEC share the list of the participants from the Pre-Application Workshop, which may help identify partners for a joint submission for this grant opportunity?**

A17: Yes, the list of attendees is posted under the solicitation files on the [solicitation web page](https://www.energy.ca.gov/solicitations/2024-10/gfo-24-602-charging-and-refueling-infrastructure-transport-california) (https://www.energy.ca.gov/solicitations/2024-10/gfo-24-602-charging-and-refueling-infrastructure-transport-california). The CEC also encourages applicants who are seeking project partners to visit [Empower Innovation](https://www.empowerinnovation.net/en/) (https://www.empowerinnovation.net/en/).

**Q18:** **My project team doesn't have at least three years of EV charging station experience. How do I go about meeting evaluation criterion #1?**

A18: Criterion #1 is worth 10 points out of a total possible 100 points for the scoring criteria. A minimum score of 70 percent (70 points) is required for the application to be eligible for funding. Applications will be evaluated and scored based on the responses to the information requested in this solicitation. Applicants must address each of the scoring criteria described in this solicitation by providing sufficient, unambiguous detail so that the evaluation team will be able to evaluate the application against each scoring criterion. In this example, if a project team has one or two years of EV charging station experience, that should be described in the project narrative (Section III.D.2.a of Addendum #1).

**Q19:** **Mobile charging equipment is stated to be ineligible for funding; what is CEC’s definition of “mobile charging equipment” for purposes of this solicitation?**

A19: Mobile charging equipment can be moved or taken from one location to another. An example would be charging equipment that has wheels and can be transported from site-to-site, rather than equipment that remains stationary at one project site.

The intent of CP 2.0 is to provide quick, reliable charging and refueling to MDHD ZEVs travelling along major highway corridors. If the mobile equipment can be moved from the project site, the intent would not be fulfilled. Therefore, mobile refuelers and mobile charging equipment is ineligible as reimbursable or match under this solicitation.

**Q20:** **Is there a cap on the price that can be charged to customers for hydrogen fuel?**

A20: No, the CEC does not set prices. However, as described in Criterion #4 of the Evaluation Criteria (Section IV.E. of Addendum #1) applications will be scored on the degree to which the proposed project will minimize the retail price of fuel and/or the cost of charging.

**Q21: Can we produce hydrogen onsite using compressed natural gas?**

A21: If the hydrogen produced is defined as renewable pursuant to the guidelines of the Low Carbon Fuel Standard (LCFS) regulation, the on-site production would be allowed and the production equipment may be eligible as match, but not as a reimbursable expense. Additional information regarding the current LCFS regulation can be found at [RESO 18-34 LCFS Attachment A Final Reg Order](https://ww2.arb.ca.gov/sites/default/files/2020-07/2020_lcfs_fro_oal-approved_unofficial_06302020.pdf) (https://ww2.arb.ca.gov/sites/default/files/2020-07/2020\_lcfs\_fro\_oal-approved\_unofficial\_06302020.pdf).

**Q22:** **Is it permissible to propose a site that includes both public and private charging infrastructure, as long as the public chargers fully meet accessibility and usage requirements?**

A22: Public charging infrastructure at the site would need to meet all requirements of the solicitation. Private charging infrastructure at the project site may be eligible as match.

**Q23:** **Is there flexibility in meeting the minimum 200 kW per charging port if Automated Load Management (ALM) is used to ensure efficient power distribution among multiple ports?**

A23: Section II.C.2., Minimum Technical Requirements for Open Retail Electric Vehicle Charging Stations, of Addendum #1 states, “Each charging station port must be capable of providing at least 200 kW. If ALM is being utilized, each charging station port must be capable of simultaneously providing at least 150 kW when all ports are in use.”

**Q24:** **Can you provide examples or guidance on acceptable community support documentation that were effective in past solicitations for priority populations?**

A24: Applicants may contact the Commission Agreement Officer for this solicitation, Natalie Johnson, at Natalie.Johnson@energy.ca.gov, and request examples of community support documentation from CP 1.0 awardees.

**Q25:** **Will projects that integrate advanced technologies (e.g., bidirectional charging, energy management, or battery storage) receive any scoring preferences?**

A25: No. While the CEC encourages innovation and the use of demonstrated advanced technologies, the purpose of this solicitation is to continue building a viable network of MDHD ZEV corridor charging/refueling infrastructure along designated clean freight corridors See Attachment 18 for descriptions of the freight corridors. Projects that include advanced technologies will not receive scoring preferences.

**Q26:** **Could you clarify the frequency and types of data required (e.g., operational uptime, usage rates) throughout the six-year operational period?**

A26: The types of data required for reporting are detailed in the Scope of Work template (Attachment 3). The data is collected daily and reported quarterly.

**Q27:** **Will technical support be provided for data submissions, and is there a designated platform required for reporting?**

A27: Currently the CEC does not have a designated platform for reporting data. However, applicants who receive a proposed award will be provided more guidance during development of the grant agreement.

**Q28:** **Are virtual community engagement efforts (e.g., online workshops) considered equivalent to in-person meetings for community input requirements?**

A28: The community engagement efforts of each project should provide reasonable access to participants from the priority populations that are likely to benefit from the project. This does not differentiate between virtual and in-person event. Some community engagement strategies will be better suited for a given program or project type than others. Section II.C.7 of the [Draft Funding Guidelines for Agencies that Administer California Climate Investments](https://ww2.arb.ca.gov/sites/default/files/auction-proceeds/draft_2024_funding_guidelines.pdf) (<https://ww2.arb.ca.gov/sites/default/files/auction-proceeds/draft_2024_funding_guidelines.pdf>) includes examples of public participation strategies and more information detailing meaningful community engagement. If a project describes just one of either type (virtual/in-person), an Applicant may want to describe why that type is best suited for the communities.

**Q29:** **Will the evaluation team consider estimated environmental impacts, specifically projected improvements in local air quality?**

A29: Yes. Attachment 21 of the solicitation provides instructions on how to identify benefits to priority populations. The evaluation team will determine if a project meets the criteria for providing direct, meaningful, and assured benefits to priority populations using the evaluation approach described in Attachment 21. Additionally, Section IV.E of Addendum #1 provides criteria that the evaluation team will use to score applications. Criterion #6 in the scoring criteria table is Environmental and Economic Benefits, and applicants should respond to each bullet under the criterion in their Project Narrative (Attachment 1). All calculations must be substantiated, and assumptions must be documented.