

STATE OF CALIFORNIA  
GOVERNMENT OPERATIONS AGENCY  
CALIFORNIA BUILDING STANDARDS COMMISSION  
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Office Use Item No. \_\_\_\_\_

**PARTICIPATION COMMENTS FOR THE NOTICE DATED APRIL 25, 2014**  
Written comments are to be sent to the above address.

**WRITTEN COMMENT DEADLINE: JUNE 9, 2014**

Date: June 6, 2014

From: Kevin Lee, Counsel

\_\_\_\_\_  
Name (Print or type)

\_\_\_\_\_  
(Signature)

NRG EV Services LLC, a Delaware limited liability company

\_\_\_\_\_  
Agency, jurisdiction, chapter, company, association, individual, etc.

11390 W. Olympic Blvd, Suite 250; Los Angeles, CA 90064

Street

City

State

Zip

I/We do not agree with:

The Agency proposed modifications As Submitted on Section No.

**4.106.4.2.4 (HCD); and  
5.106.5.3.2 (BSC)**

and request that this section or reference provision be recommended:

Approved    Disapproved    Held for Further Study    Approved as Amended

**Suggested Revisions to the Text of the Regulations:**

**HCD:**

**4.106.4.2.4 Multiple EVCS required.** Construction documents shall indicate the raceway termination point and proposed location of future EVCS and EV chargers. Construction documents shall also provide information on amperage of future EVSE, raceway method(s), wiring schematics and electrical load calculations to verify that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EVCS at the full rated amperage of the EVSE. Plan design shall be based upon a 40-ampere minimum branch circuit. **These requirements should not be construed to mean that EV charging systems actually installed at the property must always charge at the full rated amperage of the EVSE or that EV charging systems actually installed must charge at 40-amperes.** Raceways and related components that are planned to be installed underground, enclosed, inaccessible or in concealed areas and spaces shall be installed at the time of original construction.

**BSC:**

**5.106.5.3.2 Multiple charging space requirements. [N]** When multiple charging spaces are required per Table 5.106.5.3.3 raceway(s) is/are required to be installed at the time of construction and shall be installed in accordance with the *California Electrical Code*. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.
2. The raceway(s) shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location of the charging equipment and into listed suitable cabinet(s), box(es), enclosure(s) or equivalent.
3. Plan design shall be based upon 40-ampere minimum branch circuits.
4. Electrical calculations shall substantiate the design of the electrical system, to include the rating of equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EVs at its full rated amperage. **This requirement should not be construed to mean that EV charging systems actually installed at the property must always charge at the full rated amperage of the EVSE or that EV charging systems actually installed must charge at 40-amperes.**
5. The service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) for the future installation of the EVSE.

**Reason:** [The reason should be concise if the request is for “Disapproval,” “Further Study,” or “Approve As Amend” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

The proposed language is vague and ambiguous (reason 6) about whether the property owners can implement load management technologies which may include charging at less than full rated amperage from time to time, or use of the many EVSEs on the market that are rated at less than 40A. Our comment is to clarify the language to permit such technologies and commercially-available products. Not permitting such technologies or products would impose unreasonable costs on the public (reason 5).

## HEALTH & SAFETY CODE SECTION 18930

### SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
  - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
  - (3) The public interest requires the adoption of the building standards.
  - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
  - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
  - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
  - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
    - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
    - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
  - (8) The format of the proposed building standards is consistent with that adopted by the commission.
  - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.