



National Association of
State Energy Officials

January 28, 2022

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington DC 20590

RE: Comments for U.S. Department and Transportation (DOT) Federal Highway
Administration (FHWA) Infrastructure Investment and Jobs Act (IIJA) Request for
Information
Docket number FHWA-2021-0022

Dear Secretary Buttigieg:

The National Association of State Energy Officials (NASEO) appreciates the
opportunity to submit comments in response to the Request for Information (RFI)
regarding the development of guidance for electric vehicle (EV) charging
infrastructure deployment facilitated through the Infrastructure Investment and Jobs
Act of 2021 (IIJA). NASEO submits these comments on behalf of the State Energy
Office and State Department of Transportation participants of the eight-state Regional
Electric Vehicle Plan for the West (REV West).

The REV West Memorandum of Understanding was signed in 2017 by Governors
from Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and
Wyoming. Since then, state governments across the region, often relying on funding
from the U.S. Department of Energy’s U.S. State Energy Program as well as state and
private funds, have worked to coordinate the build-out of electric vehicle fast-
charging corridors, with the goal of facilitating interstate travel for EV drivers. Years
of experience deploying electric chargers along corridors in some of the largest and
most geographically diverse states in the country with long stretches of rural corridors
have informed our suggestions for formula fund program specifications, included
below.

NASEO, on behalf of REV West, commends the efforts of FHWA to provide clear
program guidance and rules, enabling states to start implementing IIJA-funded
programs and investments. The REV West states have installed electric vehicle
supply equipment (EVSE), leveraging state funds, private capital, utility partnerships,
and Volkswagen Settlement Environmental Mitigation Trust funds, and through these
efforts have become national leaders in EVSE deployment, managing corridor
charging programs, urban hub charging, and rural and remote charging options.
While EV charging station deployment has increased dramatically in the

1300 North 17th Street
Suite 1275
Arlington, Virginia 22209
Telephone: 703.299.8800
www.naseo.org

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intermountain states in recent years, the REV West states continue to face significant challenges that prohibit them from filling network gaps, including lack of electric service and minimal electric infrastructure along major sections of heavily trafficked corridors, and few property owners able and willing to act as partners. With this in mind, the REV West states recommend FHWA consider the following when developing guidance for the National EV Formula Program:

Allow Flexibility in Distance Between Stations in Rural and Remote Areas

Addressing RFI Questions #1, #3, and #4

The Alternative Fuel Corridors Program currently requires EV charging stations to be placed less than 50 miles apart in order for corridors to qualify for “Corridor-Ready” status through the program. This distance to achieve “Corridor Ready” status is impractical in certain areas of the REV West region, where electric service is not available along highways for dozens of miles, and opportunities for EVSE installation along certain portions of federal highways are few. REV West states are seeking to fill these gaps by piloting off-grid and grid-edge charging, and are working to partner with landowners along key portions of corridors. For example, in order to ensure that EV charging is available every 50 miles on the Nevada Electric Highway, the state has leveraged solar and battery storage technologies to power stations and reduce the grid investments required to provide fast-charging (more information is available on the Nevada Electric Highway [website](#)). However, progress is slow, and off-grid and grid-edge technologies are evolving, not yet proven or widely available, and often cost prohibitive. With that in mind, REV West recommends that FHWA grant states with significant stretches of highway in rural and remote areas flexibility in meeting minimum station distance requirements. Issues addressed in the following sections, as well as expanding EV battery capacities will help ameliorate this issue as well. NASEO and REV West are available to collaborate on this issue with FHWA to help find an appropriate solution for the region.

Support Rural EV Charger Deployment by Through Federal Rest Areas

Addressing RFI Question #4

REV West states have nearly 9,000 miles of highway corridors designated as electric vehicle ready or pending. This covers the most remote stretches of land in the continental United States, with harsh desert and mountain terrain. The current regulation banning commercial activity at interstate rest areas prohibits EV charging at these locations, unless the station may be used for free. As noted above, in many areas of the intermountain west there are significant stretches of highway without commercial activity and sometimes without electric service. In many cases, federal rest areas provide the only infrastructure and amenities for dozens of miles, and are the most logical and safe location for EV chargers. The REV West states recommend that the federal prohibition of commercial activities at federal rest areas be modified to accommodate retail EV charging at those locations. Beyond grid service, these rest stops are often the only public locations with lighting, running water and bathrooms, internet connectivity, and other amenities which the REV West group has determined are vital to providing a safe and pleasant consumer experience (as detailed in the REV West [Voluntary Minimum Station Standards](#)). Without leveraging existing infrastructure (such as at rest areas), the REV West states are concerned that rural station installations will either not be achievable or costs will increase exponentially, in order to extend electric service, provide fast-charging, and ensure a safe and enjoyable consumer experience. Without enabling states to take advantage of key existing infrastructure in remote locations, the REV West states fear a significant amount of funding will be needed to support remote charging, greatly restraining funding under this formula program. Further, REV West states unable to meet federal match requirements for these types of investments may not be

able obtain needed certification that a corridor is “fully built out” from the Secretary to leverage the full formula funding amounts available.

Clarify What Routes are Eligible for EVSE Investment

Addressing RFI Question # 7, and #8

Under the Alternative Fuel Corridors Program, states are encouraged to nominate federal interstates for designation for Alternative Fuel Corridors status, with a smaller number of state or U.S. highways allowed each cycle. The REV West states agree that federal highways should remain the top priority for EV infrastructure investment under the National EV Formula Program. However, the states recommend that FHWA allow states to invest National EV Formula Program funds along state and U.S. highways as well. In many areas of the intermountain west, non-interstate highways are the primary corridors servicing the majority of communities in the state, and are among the most frequently traveled roads. Allowing states to invest in EV charging stations along state and U.S. highways early in the National EV Formula Program will enable states to fill needed gaps and meet EV travel demands immediately. Related to this concern is the question of when states can determine that their corridors are “fully built out,” opening up EVSE funds to other applications. To that end, the REV West states also recommend that FHWA provide clarification on how FHWA will determine when a state’s corridors have been completed.

Provide Examples of Allowable Project Types

Addressing RFI Question #4, #6, and #7

The REV West states recommend that FHWA provide clarification and examples of allowable project types under the National EV Formula Program (e.g., project examples and templates, sample financing options, contracting options, allowable cost match agreements, types of allowed EVSE infrastructure and buildout costs, and templates for investments along the federal right of way and at federal rest stops). REV West states are committed to efficiently and effectively deploying IJA funds in order to support our goal of ubiquitous EV charging in the intermountain west. Flexibility on fund deployment from FHWA, paired with clear guidance where there is not room for flexibility will allow state agency staff to remain focused on EVSE planning and deployment and minimize time spent on program administration. This guidance will not only provide direction to state agencies, but also delineate appropriate roles to private-sector partners and electric service providers who will be integral to successful infrastructure buildout.

The REV West states and NASEO appreciate the opportunity to provide feedback on guidance being developed for the National EV Formula Program and the Charging and Fueling Infrastructure Program. As noted above, the REV West states are concerned that the 50-mile maximum distance requirement between stations, coupled with the prohibition of “charging for charge” at federally-owned rest areas will create a situation where states are unable to meet the goals of the National EV Formula Program, and in some cases may create unsafe charging situations for EV drivers. We encourage FHWA to grant flexibility to the REV West states and others while also offering clear program guidance to enable strategic, efficient, and equitable build-out of a regional and national EV charging network.

Thank you for your consideration, and we look forward to continuing our partnership with U.S. DOT in supporting the REV West states as they implement IIJA investments.

Best regards,

A handwritten signature in black ink, appearing to read 'David Terry', with a stylized flourish at the end.

David Terry
Executive Director, NASEO

cc: State, Territory, and District of Columbia Energy Directors