December 6, 2021

Mr. Tim Elliott  
Washington State Dept. of Agriculture  
PO Box 42560  
Olympia, WA

Re: FLO Comments on SB 5192 Draft Rulemaking Text

Dear Mr. Elliott,

Thank you for the opportunity to comment on Washington State Department of Agriculture’s (WSDA) rulemaking process for SB 5192 (2021-22). We submit the following comments for WSDA’s consideration regarding the draft text released November 19.

FLO is a leading North American charging network for EVs and a major provider of smart charging software and equipment. FLO offers public, commercial, and residential chargers, including Level 2 EV supply equipment and DC fast chargers. In North America, FLO has deployed over 50,000 charging stations and manages hundreds of thousands unique charging experiences that transfer 5.5 GWH of energy monthly. FLO’s headquarters and network operations are based in Quebec City.

I. FLO supports WSDA’s Proposed Payment Standard

SB 5192 directs WSDA to adopt payment standards that serve low-income and unbanked individuals and “minimize cost and maximize benefits to the public”\(^1\). This guidance implies the need for a well-balanced standard – one that provides broad access to drivers without unduly increasing costs for industry (and thus consumers).

FLO strongly believes WSDA’s proposed standard has honored both goals for several reasons. First, WSDA’s proposal requires charging companies to choose at least three payment methods, of which one must accept payment by card (including debit, credit, and pre-paid). This will give consumers a range of options to choose from, increasing accessibility to charging stations. Second, because charging networks have to offer an option that accepts pre-paid cards, the proposed payment standard ensures equitable access to charging stations by individuals who are low-income or unbanked. Finally, WSDA’s proposed standard offers flexibility to charging companies by letting them choose between multiple payment methods and allows them to use contactless card readers if they have an alternative solution to accept pre-paid cards. This enables charging companies to evaluate trade-offs between costs and benefits to the public to optimize the payment options offered to drivers.

\(^1\) SB 5192. Page 8. Lines 27-34.
FLO recognizes that balancing these goals was not easy and commends WSDA for its thoughtful approach to implementing a payment standard for EV charging stations.

II. FLO supports WSDA’s Proposed Interoperability Standards

SB 5192 explicitly states that interoperability standards “provide safeguards to consumers and support access to electric vehicle supply equipment” and goes on further to say interoperability standards are key to ensuring a “reliable, accessible, and competitive” market for EV charging stations. FLO believes WSDA’s proposed interoperability standards fulfill the intent of SB 5192’s provisions.

Software-Hardware Interoperability (Open Charge Point Protocol)
FLO strongly supports WSDA’s proposal to require all charging stations “to be capable of using Open Charge Point Protocol (OCPP) version 1.6 or 2.0.1” because it protects consumers and promotes more market competition.

OCPP safeguards site hosts as consumers from unfair and uncompetitive business practices from EV charging networks. Site hosts who have installed networked charging stations may decide at some point to use another charging network to manage their station hardware. However, if this hardware is not OCPP compliant, site hosts are locked into the original charging network, disempowering them to choose vendors that best serve their needs.

Requiring OCPP also serves a secondary benefit of allowing site hosts to choose from an even wider combination of software and hardware providers, pushing the market to continue innovating and refining their services to remain competitive. Alternatively, if charging networks know site hosts are locked in to using their original vendor, they may have less incentive to continue improving their services to best serve these customers.

FLO also appreciates flexibility provided by WSDA to allow charging networks to use either version of OCPP, as this allows them to choose the version that best serves their needs currently.

Roaming Interoperability (Open Charge Point Interface)
FLO also strongly supports WSDA’s proposal to require charging networks to “maintain Open Charge Point Interface (OCPI) version 2.1.1 or 2.2”. OCPI promotes a “reliable [and] accessible” charging market because it allows consumers to seamlessly move between charging networks without having to maintain multiple mobile applications or carry several tap cards to access charging infrastructure. It also eliminates the need to toggle between multiple mobile applications just to see what stations are available across networks. Enabling consumers to do all these things through one charging network’s services is critical to improving their charging experience by simplifying the overall process.

Like with OCPP, FLO also appreciates flexibility provided by WSDA to allow charging networks to use either version of OCPI, as this allows them to choose the version that best serves their needs currently.

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Thank you for your consideration,

[electronically submitted]

Cory Bullis
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