

Level 2 Electric Vehicle (EV) Charging Rebate Program

A Driving PA Forward Funding Program



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I. Funding Opportunity Description

A. Background

Reducing emissions from diesel engines is one of the most significant air quality challenges facing the Commonwealth of Pennsylvania. To help Pennsylvania meet its diesel emissions reduction goals, the Wolf Administration has developed new grant and rebate programs under the Driving PA Forward initiative to improve air quality in Pennsylvania and drive transformation from older, polluting diesel engines to clean technologies. New engine technologies like electric, compressed natural gas, propane, and clean diesel can significantly reduce pollutants from freight and delivery trucks, transit and school buses, cargo handling equipment, ocean going vessels in port, forklifts, tugs, and freight switchers that rely on older diesel technology.

The goal of the Governor's initiative is to permanently reduce NO_x emissions by as much as 27,700 tons. Of the mobile source NO_x emissions, diesel sources, including aviation, marine, and rail sources, account for approximately 61% of the emissions.

The Level 2 Electric Vehicle (EV) Charging Rebate Program is one of the Driving PA Forward financial incentive programs that the PA Department of Environmental Protection (DEP) has developed to fund Eligible Mitigation Actions (EMAs) from Pennsylvania's \$118.5 million allocation from the State Mitigation Trust, resulting from the emissions cheating lawsuit settlement.¹ Pennsylvania will have at least 10 years to use its allocation of the Trust to fund EMAs. All expenditures from the State Mitigation Trust will require the approval of the Trustee.²

B. Scope of Work

The primary goal of the Level 2 Electric Vehicle (EV) Charging Rebate Program is to improve Pennsylvania's air quality by reducing oxides of nitrogen (NO_x) emissions. The Level 2 EV Charging Rebate Program will accomplish this by spurring widespread investment into EV charging infrastructure across Pennsylvania. Expanding the availability of EV charging opportunities and networks is expected to accelerate consumer and fleet adoption of battery electric and plug-in hybrid electric light-duty vehicles, thereby resulting in air quality improvement. DEP encourages projects located in priority areas, in accordance with DEP's Beneficiary Mitigation Plan. Areas qualifying as priority for funding will be identified in the application instructions. DEP anticipates awarding a minimum of 70 percent of the available funds to projects in priority areas.

¹ A \$2.866 billion environmental mitigation trust (State Mitigation Trust) was established by the Environmental Mitigation Trust Agreement for State Beneficiaries filed by the United States (U.S.) Department of Justice, with the U.S. District Court for the Northern District of California on October 2, 2017, in the case, *In Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation* (No. 3:15-md-02672-CRB (N.D. Cal.), MDL No. 2672). Additional information about the case and the settlement are available on DEP's website.

² A Trustee, Wilmington Trust, N.A., was approved by the Court on March 15, 2017, to administer the State Trust Agreement and disburse the funds from the State Mitigation Trust.

The maximum allowable 15 percent of Pennsylvania's State Mitigation Trust allocation, approximately \$17.7 million, will be used to fund light-duty zero emission vehicle supply equipment (ZEVSE) projects. DEP will implement two incentive programs using this funding: a rebate for Level 2 electric vehicle supply equipment (EVSE), and a competitive grant program for DC Fast Charging and hydrogen fuel cell vehicle fueling projects. These guidelines are specific to the Level 2 EV Charging Rebate Program.

C. What's New

1. Multi-Unit Dwelling projects are now listed as their own project category and they are eligible for a higher rebate incentive than some other projects.
2. All public access projects must use networked charging equipment to be eligible for the higher rebate incentive associated with public access projects. Public access projects using non-networked equipment are still eligible, though at a lower rebate level. Additionally, the definition of public access is clarified.
3. A project location can only receive rebates for a maximum of 12 total plugs, regardless of the number of applications submitted for that location. The definition of project location has been clarified.
4. Projects located on government owned property must now be available to the public and use networked charging equipment in order to receive a higher rebate incentive than projects on non-government owned property.

D. Important Information

1. Interested organizations must submit their rebate applications before beginning project installation. Installation costs incurred before the application date will not be considered under any circumstance.
2. After completing the charging equipment project and submitting for rebate voucher redemption, applicants should be prepared for a total payment processing time of 5-7 months.

II. **Applicant Eligibility**

A. Eligible Applicants

Organizations that own or operate an eligible location may apply for a Level 2 EV Charging Rebate. Eligible applicants include:

1. Businesses – corporations, partnerships, sole proprietorships, limited liability companies, business trusts or other legal business entities incorporated in or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.
2. Incorporated Nonprofits – An organization incorporated as a non-profit under Pennsylvania law or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.
3. State, Local, or Tribal Government Agencies – a State or local government agency (including a school district, municipality, city, county, special district, transit district, joint powers authority, or port authority, owning fleets purchased with government

funds), and a tribal government or native village. The term ‘State’ means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

4. Air Quality or Transportation Organizations – Local, regional or multi-state air quality or transportation organizations that include a Pennsylvania state government agency, a municipal government, or a municipal authority as a member, and
 - a. own or operate a diesel fleet located or operating predominately in Pennsylvania, or
 - b. have partnered with or is acting as a project manager for another eligible entity listed in this section.
5. Metropolitan or Rural/Regional Transportation Planning Organizations – Organizations as defined by the U.S. Department of Transportation at 49 U.S.C. § 5303(b) that are located in Pennsylvania.
6. Federal Government Agencies – Federal agencies that have custody, control, or management of land (including, but not limited to, Clean Air Act Class I and II areas) within or contiguous to the territorial boundaries of the Commonwealth.

B. Ineligible Applicants

1. Businesses not incorporated in or registered with the Pennsylvania Department of State, Bureau of Corporations and Charitable Organizations, to do business in the Commonwealth.
2. Individuals applying as individuals, not on behalf of an eligible applicant. Please note, sole proprietors are eligible to apply as a business.

C. Eligible Locations

1. Publicly accessible government owned property
2. Publicly accessible non-government owned property
3. Workplace property where the charging stations can serve either employee and/or light duty fleet vehicles.
4. Multi-unit dwelling (MUD) property where MUD refers to two or more individual residential housing units within a single building. This includes, but is not limited to, apartment buildings and condominiums, and excludes individually owned townhouses, rowhouses and mobile homes.

III. Level 2 EV Charging Rebate Information

A. Available Funding

Applications will be accepted, reviewed, and approved on a first-come, first-served basis. Funding is available at the rebate levels identified in Table 1. These guidelines and associated rebate levels will remain in effect until DEP determines there is need for program revisions, or until rebate vouchers are issued for projects totaling at least 750 plugs, whichever occurs first. At that time, DEP will evaluate the program and may publish a new version of the guidelines with reduced rebate levels that will then be in effect until the next targeted number of plugs is reached. The guidelines in effect at the time of application will determine the rebate level. Therefore, if the guidelines version and rebate levels change after a complete and eligible application is submitted, the guidelines and rebate levels in effect at the time the application was submitted will apply

to that project, even if that application is not approved until after the changeover to the new guidelines.

B. Rebate Amounts and Categories

The Level 2 EV Charging Rebate Program will provide rebates either as a maximum dollar amount or as a percentage of project costs, whichever is less. The program will provide maximum rebates of \$4,000 per plug for Full Public Access and Networked charging projects, \$3,500 per plug for Multi-Unit Dwelling projects and \$3,000 per plug for All Other Eligible Projects, including workplace charging. Please note that the per-plug amounts are not fixed for every project. The final rebate amount for a project may also be capped at a percentage of final project costs, as identified in Table 1. Rebates can be applied to project costs directly connected to equipment acquisition, installation, operation, and maintenance (see Section IV.D. for a list of eligible project costs). The final rebate amount will ultimately be determined by the per-plug rebate amount multiplied by the number of plugs, or percent of total project cost, whichever is less.

Table 1. Project Rebate Amounts

<u>Project Type</u>	<u>Maximum Rebate per Plug</u>	<u>OR</u> <u>(whichever is less)</u>	<u>Maximum % of Total Project Cost</u>
Full Public Access, Networked, Government Owned Property	\$4,000	or	80%
Full Public Access, Networked, Non-Government Owned Property	\$4,000	or	70%
Multi-Unit Dwelling	\$3,500	or	50%
All Other Eligible Projects	\$3,000	or	50%

For purposes of this rebate program, Full Public Access, Networked projects must;

- meet the definition of “networked” below,
- offer a minimum of 80 hours of availability per week to the public without restriction,
- and be located at a site that is reasonably expected to be visited by the public during the hours of availability.

For example, if all nearby businesses or other attractions are closed between 9pm and 6am every night then those hours do not count toward the 80 hours of public availability. Projects that propose to offer non-networked charging equipment, public access at less than the required 80 hours per week, or significant restrictions, such as, but not limited to, physical barriers (fences, gates, etc.), customer/visitor-only parking, access codes, membership requirements, or seasonal availability are eligible to apply using the All Other Eligible Projects category.

Multi-Unit Dwelling projects must primarily serve two or more residences, such as housing units, apartments, or condos. The parking spaces associated with the charging equipment cannot be reserved for a specific individual or residence but can be reserved for residents and/or visitors of all the associated residences, so long as the same restrictions apply to all other similar parking spaces.

Projects that do not meet the Full Public Access or Multi-Unit Dwelling requirements may use the All Other Eligible Projects category. This includes projects with fewer than 80 hours of public access, projects with no public access, and projects that use non-networked EVSE. Common examples of projects in this category are workplace employee charging, workplace fleet charging, and public charging that uses non-networked EVSE. Projects in this category are still required to have one parking space associated with each charging plug. Projects at individual residences are not eligible for any rebate category. Parking spaces reserved for specific individuals or dwelling units are not eligible for any category.

The term “networked” refers to a combination of EVSE components and software that allows for centralized management, administration, communication, diagnostics, and data collection. To be considered networked, projects must maintain a minimum of three years of network subscription and be capable of tracking and reporting charger usage data.

DEP will not issue more than \$100,000 in Level 2 EV Charging Rebate vouchers in total to any one entity at any time. If an applicant has reached the \$100,000 voucher maximum, regardless of the number of vouchers issued, the applicant may submit additional rebate applications only after DEP approves the redemption of the vouchers previously issued, or the applicant withdraws some or all of the vouchers.

C. Maximum Plugs per Project Site

DEP will award rebates for no more than 12 charging plugs per project site. A project site is generally a single physical address but some large buildings and facilities, such as malls, parking garages, etc. may have multiple physical addresses but are still considered one project site for the purposes of this program. DEP will make case-by-case determinations when different addresses for a single building each represent distinctly different purposes and functions, such as a parking garage with two entirely separated parking services. EVSE funded and installed without financial assistance through this program do not count toward the 12-plug maximum per project site.

D. Project Period

Applications to the Level 2 EV Charging Rebate Program must be submitted prior to the start of project installation. Successful applicants will be issued a rebate voucher that secures the approved rebate amount for 180 days. The voucher recipient must complete the project and provide all required documentation prior to the voucher expiration date.

If an applicant initiates project installation after the application date and prior to DEP approval, no costs will be reimbursed if the application is not ultimately approved.

Applicants with vouchers that reach the expiration date prior to project completion and submission of final documentation may reapply for a new voucher. DEP does not guarantee that a new voucher will be issued. If a new voucher is issued, retroactive project costs going back to the original application date may be considered.

E. Funding Type

The Level 2 EV Charging Rebate Program is offering funding as a rebate / voucher program. This means a rebate / voucher recipient will pay all project costs and submit proof that project invoices have been paid, proof of project work completion, and other documentation with a voucher redemption request to DEP. If DEP approves the voucher redemption request, DEP will submit the rebate request to the Trustee, who then transfers the funds to DEP for disbursement to the voucher holder. DEP will not approve voucher redemption requests for unpaid invoices. Detailed invoice requirements and voucher redemption submission instructions will be included in the notification message to successful applicants.

F. Public Disclosure of Application Documents

Level 2 EV Charging Rebate Program applications and supporting documentation are public documents and subject to disclosure to the public upon request. Please note that all documentation and records used to support a funding request submitted to the Trustee of the State Mitigation Trust, and all documentation and records in support of all expenditures of State Mitigation Trust funds, are required to be made publicly available, subject to applicable laws governing the publication of confidential business information and personally identifiable information. This may include information from the application and attachments, or voucher redemption request documentation submitted by successful applicants. Directions are provided in the Application Instructions for this program on how to format and submit any information that the applicant wishes the Commonwealth to consider as proprietary or confidential.

IV. Program requirements

A. Project Requirements

1. Level 2 Electric Vehicle Supply Equipment (EVSE) only.
2. Minimum of 2 plugs per project.
3. Maximum of 12 plugs per project site, regardless of the number of applications submitted for that location.
4. **A separate application is required for each unique charging location** (address).
5. Projects must be installed by a qualified licensed professional according to all federal, state, and local rules, including applicable permitting and inspection requirements.
6. Chargers must be maintained and operated for a minimum of three years from the date of project completion.
7. Project installation may not begin prior to the date of the application (with exclusions for applicants that re-apply for projects previously approved).

8. Rebate recipients will be required to submit one year of charger utilization data for each of the three years after project completion. See Section VIII for more detail on reporting requirements.
9. Rebate recipients for Full Public Access projects will be required to register the location with the Alternative Fuel Data Center station locator tool at www.afdc.energy.gov/.

B. Equipment Requirements

1. EVSE must be new. Previously installed or rebuilt equipment is ineligible.
2. EVSE must be capable of providing a minimum of 7.2 kW output electric power at each plug, concurrently.
3. All charging ports must use SAE J1772 compliant plugs.
4. Charging equipment must be certified through the Nationally Recognized Testing Laboratory (NRTL) program to demonstrate compliance with appropriate product safety test standards. Underwriter's Laboratory (UL) is part of the NRTL program. The complete list of accredited NRTLs can be found online: <https://www.osha.gov/dts/otpc/nrtl/nrtllist.html>.
5. The materials used to install the charging equipment should have a similar or longer expected useful life than the charging equipment itself, whenever feasible.
6. For Full Public Access projects that require customer payment, more than one form of common payment option must be accepted.
7. Networked EVSE must either be compliant with Open Charge Point Interface (OCPI) or an equivalent open communications protocol or have an agreement with a centralized clearinghouse communications protocol.
8. All publicly available networked charging stations must be compliant with Open Charge Point Protocol (OCPP), or an equivalent open standard protocol, and must be capable of switching networks without technological, contractual, or other unreasonable restrictions.
9. EVSE must have a minimum of one-year manufacturer's warranty.

C. Equipment Considerations

1. DEP encourages the use of Energy Star certified EVSE. The list of certified EVSE can be found here: <https://www.energystar.gov/productfinder/product/certified-evse/results>
2. Applicants may wish to consider the growing number of level 2 EVSE products capable of charging outputs greater than 7.2 kW, as an increasing number of new vehicles can utilize faster charging speeds.
3. When looking to install networked EVSE applicants should consider if the equipment is compliant with Open Charge Point Interface (OCPI), which enables communication between charging equipment service providers to enhance the charging customer experience, and if the equipment is compliant with Open Charge Point Protocol (OCPP) which ensures that the station owner can switch to a different networking service provider in the future if they wish.

D. Site Requirements

1. Charging sites must be located within the Commonwealth of Pennsylvania to be eligible for a rebate.
2. If the property/site is not owned by the applicant, the rebate applicant must provide a signed letter from the landowner indicating approval of the project.
3. Projects must include at least one designated and clearly marked EV parking space per plug.
4. Public access sites must be clearly identified with signage that directs users to the site and appropriate parking spaces.
5. Public access sites must be easily accessible and adequately lit.
6. Public access sites must be available for use by the public for at least 80 hours per week without access restrictions.
7. A Full Public Access project must be located at a site that is reasonably expected to be visited by the public during the hours of public availability.
8. A project is ineligible for this rebate program if the proposed location serves primarily as an individual residential home, even if a home-based business is operated out of the residence or a home office is present.

E. Project Costs

1. Eligible Projects Costs – All project costs must be necessary for, and directly connected to, the acquisition, installation, operation, and maintenance of the EV charging system. Project costs may include, but are not limited to, the following:
 - a. EVSE purchase cost
 - b. EVSE installation costs
 - c. Project design costs
 - d. Local permit costs
 - e. Electric service upgrades
 - f. Connecting EVSE to electrical service
 - g. Networking charges (maximum of 3 years, if paid in advance prior to voucher redemption)
 - h. EVSE maintenance contracts (maximum of 3 years, if paid in advance prior to voucher redemption)
 - i. Signage for public access projects
 - j. Lighting for public access projects
2. Ineligible Project Costs – DEP will not consider costs associated with the following:
 - a. EVSE leasing costs
 - b. Purchase or rental of real estate
 - c. Construction or general maintenance of buildings and parking facilities
 - d. Administrative costs
 - e. Electric supply costs

V. **How to Apply**

- A. DEP will only accept rebate applications submitted through the Department of Community and Economic Development's (DCED) Electronic Single Application website, eGrants, at: <https://www.esa.dced.state.pa.us/Login.aspx>. Please see the Level 2

EV Charging Rebate Program Application Instructions guide for detailed, step-by-step instructions for registering in eGrants and applying for the rebate.

- B. All applications will require the following information, at minimum, to be submitted via eGrants:
1. Applicant name, address, EIN, contact information
 2. Project location type
 - a. Public Space
 - b. Multi-Unit Dwelling
 - c. Workplace Employee
 - d. Workplace Fleet
 3. Location/address of the project
 4. Rebate Project Category
 - a. Full Public Access, Networked, Government Owned Property
 - b. Full Public Access, Networked, Non-Government Owned Property
 - c. Multi-Unit Dwelling
 - d. All Other Eligible Projects
 5. Number of plugs and spaces
 6. Itemized project quotes or detailed engineer estimates (refer to Section IV.D. for eligible project costs)
 7. Charging unit information
 - a. Manufacturer
 - b. Model
 - c. Charging capacity in kW
 - d. Warranty period
 8. Identification of permits needed along with the issue or anticipated issue dates

Questions regarding the registration, access, and use of the eGrants application system should be directed to the DCED Customer Service Center at 1-800-379-7448 between the hours of 8:30 AM to 5:00 PM EST Monday through Friday.

Inquiries related to the project requirements, application requirements, and other aspects of this rebate program should be directed to Colton Brown, Energy Programs Office, by phone at 717-705-4156, or by e-mail at coltbrown@pa.gov.

VI. Webinar Information

A webinar recording that provides a detailed overview of the program, along with a walk-through demonstration of the application process, is available to view at the Driving PA Forward website under the Level 2 EV Charging Rebate heading. An additional presentation reviewing the changes to the program may also be posted on the Driving PA Forward website in the future.

Link to the Driving PA Forward homepage: <http://www.depjis.state.pa.us/drivingpaforward/>.

VII. How to Redeem a Rebate Voucher

The rebate recipient must submit the information listed below following project completion to redeem the rebate voucher. Upon DEP approval of the final documentation, including final project report, DEP will apply to the Trustee of the State Mitigation Trust for the funds. Due in part to the application processing time required by the Trustee, payment of the rebate may take at least 75 days after the request is submitted to the Trustee, which may be several weeks after the recipient's rebate redemption documentation is approved. Applicants should plan for at least 5 to 7 months between rebate redemption submission and final reimbursement. Submission instructions for redeeming the voucher will be included in the voucher packet provided to successful applicants. Required documentation includes:

- A. Final Rebate Calculation Worksheet
- B. Copy of invoices of all eligible project costs
- C. Proof of payment of all eligible project costs
- D. Two photos of each charging unit (one photo of the installed charging unit showing the unit and its associated parking space(s), and one photo of the unit's serial number)
- E. Payment Information Request Form (form provided)

VIII. Reporting Requirements

- A. All rebate recipients will be required to submit charging usage information annually for three (3) years following completion of the project, beginning one (1) year after project completion. DEP will identify the submission annual due dates and provide reporting instructions upon completion of the project.
- B. If a rebate recipient fails to submit the information by its due date, DEP will not review and may suspend other rebate applications and voucher redemption requests from that recipient until the reporting requirement is fulfilled.
- C. The information submitted to DEP will identify one year of charging utilization data. The following information will be requested from each project:
 - 1. Weekly number of hours the EVSE is available for various charging purposes
 - 2. Method(s) of collecting usage information
 - 3. Number of charging events
 - 4. Electricity consumed
 - 5. Charging time
 - 6. Out of service time (time when station is unavailable due to maintenance or repair)
 - 7. Total cost charged to customers
 - 8. Number and duration of service interruptions
 - 9. Types of fees charged to users and methods of collection, if applicable
- D. Projects shall provide all the requested data that is available. DEP anticipates that varying levels of data may be available based on the level and type of software and hardware used in the project.