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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN RE: AM

R2111014

Order Instituting Rulemaking to
Implement Senate Bill 1014-the
California Clean Miles Standard
Program.

Rulemaking 21-11-014

ADMINISTRATIVE LAW JUDGE'S RULING REQUESTING POST-WORKSHOP COMMENTS

This ruling requests comments on the March 2022 workshop report and additional questions to inform the Phase 1 staff proposal. Comments are due on May 23, 2022 and replies are due on June 13, 2022.

1. Background

On March 8, 2022, the California Public Utilities Commission's (Commission) staff held a public workshop in this proceeding. The workshop included panels, presentations, and breakout group discussions covering funding and financing for zero-emission vehicles, low- and moderate-income drivers and communities, regulatory frameworks, and Greenhouse Gas Emissions Reduction Plans.¹ The Staff Workshop Report attached to this ruling (Attachment A) consists of a list of workshop speakers and participants and a summary of each workshop session.

This ruling requests comments on the Staff Workshop Report and responses to additional questions to inform the Phase 1 Staff Proposal.

¹ The workshop materials and recording are available at <https://www.cpuc.ca.gov/regulatory-services/licensing/transportation-licensing-and-analysis-branch/clean-miles-standard>.

2. Questions for Comment

Parties are invited to comment on the following questions.

1. Staff Workshop Report.

Does the Staff Workshop Report accurately list the workshop participants and summarize the key takeaways from the workshop sessions? If not, how would you correct the report?

2. Low-and Moderate-Income Drivers.

- a. Given the challenges in defining and identifying low- and moderate-income Transportation Network Company (TNC) drivers as distinct from other TNC drivers, should the Commission define “low and moderate-income drivers” as any TNC driver?
- b. Do low- and moderate-income drivers have different barriers to transitioning to zero-emission vehicles than other low- and moderate-income individuals?
- c. Should the Commission elicit information on barriers from the drivers directly, community-based organizations, labor groups, and/or other representatives on a regular basis? At what frequency and in what form?
- d. What other engagement processes or existing research are in place that identify barriers to transitioning to zero-emission vehicles for TNC drivers?
- e. Does assessing the Commission’s success in ensuring minimal negative impact require a baseline, and if so, what metrics define that baseline? If not, what alternative approach and metrics do you recommend for measuring success in ensuring minimal negative impact on drivers?

3. Outreach and Engagement.

- a. Beyond the parties to this proceeding and participants in the March 2022 public workshop, which additional organizations should the Commission engage with to ensure that the interests of drivers, especially those with

low or moderate incomes, are represented in the implementation process?

- b. Which additional organizations should the Commission engage with to ensure that low- and moderate-income individuals and/or communities are represented for purposes of addressing the goals of clean mobility?

4. Clean Mobility.

- a. For purposes of supporting the goals of clean mobility, how, if at all, should the definition of low- and moderate-income individuals and/or communities differ from the definition of low- and moderate-income drivers? Should the Commission define and address clean mobility for “individuals” as distinct from “communities”?
- b. What “goals of clean mobility” should the Commission establish for low- and moderate-income individuals and/or communities? Should these goals relate to access to clean mobility options beyond reduction of emissions from vehicles engaged in TNC or other ride-hailing services, such as access to transit, bikes, or scooters?
- c. How should the Commission define access to clean mobility services for low- and moderate-income individuals and/or communities (e.g., availability and affordability)? Should expanded access to public transit count as access to a clean mobility service?
- d. How should the Commission, ride-hailing companies, and/or other stakeholders identify low- and moderate-income individuals and/or communities to support the goals of clean mobility? How, if at all, does that identification process differ from identifying low- and moderate-income drivers?
- e. Beyond the data already identified in the California Air Resource Board's Final Regulation Order on the Clean Miles Standard, are there additional data that the Commission should request for the purposes of

monitoring and evaluating advancement of the goals of clean mobility for low- and moderate-income individuals and/or communities?

- f. What constitutes supporting or advancing the goals of clean mobility? Should the Commission assess baseline access to clean mobility, and if so, how?
5. Environmental and Social Justice.

The Commission's Environmental and Social Justice (ESJ) Action Plan² serves as both a commitment to furthering principles of environmental and social justice, as well as an operating framework with which to integrate these considerations throughout the agency's work.

- a. How do ESJ Action Plan Goals 3.1, 5, 6.2, and 9.1 relate to elements of the Clean Miles Standard scope and goals, especially as they relate to low- and moderate-income drivers, individuals, and communities?
 - b. Are there other ESJ Action Plan goals that the Clean Miles Standard provides an opportunity to advance?
6. Coordination with Transportation Electrification Efforts.
- a. Should Commission staff convene public workshop(s) on transportation electrification across state and local agencies, federal entities, non-profit organizations, researchers, private companies, and community-based organizations to foster coordination on transportation electrification in California and aid in the identification of and solution to unanticipated barriers?
 - b. Should the Commission adopt definitions of low- and moderate-income drivers, low- and moderate-income individuals or communities, and/or environmental and social justice communities that align with definitions adopted by the Commission or other state agencies relating to transportation electrification? For example, should the Commission adopt the definition of "underserved community" that is used in

² The ESJ Action Plan is available at <https://www.cpuc.ca.gov/esjactionplan/>.

Rulemaking 18-12-006 for the purposes of advancing the goals of the ESJ Action Plan?

- c. What types of information about State-level transportation electrification efforts would be most beneficial to low- and moderate-income drivers to learn about incentives available to purchase and use zero-emission vehicles, particularly for ride-hailing services? In what format(s) and in what platform(s) should this informational resource be provided?
- d. How should the Commission coordinate the Clean Miles Standard program with programs administered by other state agencies, e.g., the California Energy Commission's Charging Access for Reliable On-Demand Transportation Services (CARTS)?

IT IS SO RULED.

Dated April 21, 2022, at San Francisco, California.

/s/ STEPHANIE WANG

Stephanie Wang
Administrative Law Judge