

Benoit Desforges
Acting President, Measurement Canada
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Ottawa, ON K1A 0C9

RE: Consultation on the oversight of electric vehicle charging devices used in non-commercial applications

Dear Benoit,

On behalf of Electricity Canada, we would like to thank you for the invitation to provide comments on this consultation. Electricity Canada and its members are key stakeholders and contributors to the deployment and operation of Electric Vehicle Supply Equipment (EVSE), and we look forward to working with Measurement Canada on furthering the electrification of Canada's transportation sector.

In general, we support the proposal, but we seek further guidance and a commitment to producing guidance and support documents by Measurement Canada to address the needs of the dispensation users. Our substantive comments are in the attached appendix A.

Thank you again for this opportunity to provide input. The importance of protecting investors and early adopters in something as integral as the energy grid is key to innovation in our sector, and further the goals of Canada's net zero commitments.

Sincerely,

Robert Heimann
Manager, Meter Data Management & Technical Services, FortisAlberta
Chair, Metering Technology & Policy Committee, Electricity Canada
p.p. Cameron Chan & Lenka Daley, Vice Chairs

Channa S. Perera
Vice President of Regulatory and Indigenous Affairs
Electricity Canada



Appendix A:

We note that the proposed dispensation timescale will last from 2023-2030, seven years. The final date for joining the dispensation is 2025. This allows two years for current deployment plans to wrap up, and continue to provide income for 5 years. This is in line with Natural Resources Canada's goal of reaching 50,000 stations deployed across Canada by 2027 and supports net zero commitments. We are concerned however, that before owners and operators are allowed to sell electricity, they must register as a contractor. The dispensation continues to describe owners and operators rather than the legally accepted term "contractor". The language of the dispensation does not match the language of the *Electricity and Gas Inspection Act*, and we are concerned that this means the dispensation has no binding in law.

We note the device requirements published in "S-E-EVSE-01—Specifications for approval of type of electric vehicle supply equipment" and "P-E-EVSE-01—Procedures applicable to specifications for approval of type of electric vehicle supply equipment", both published on 2022-12-30. We request further information from Measurements Canada to be disseminated to the public which explains the process for approval. Will the registration form also be updated to include EV chargers as an option? Currently the options are: transformer type, self-contained, Multiple Customer Metering System (MCMS), and other. There is also no option to include non-commercial devices – the two current options are Residential (single phase) and Commercial (polyphase). We suggest that this form be updated to capture the language of the proposed dispensation.

What is the expected turnaround time on applications? If the dispensation is set to begin next month, then that does not leave much time for an owner/operator to apply to become a contractor and then receive Measurements Canada approval to conduct business. If there is an unforeseen problem throughout that process, that also cuts into potential generated revenue.

We are pleased that there is no cost to registering as a contractor, however, and that options remain for both email and non-email registrations.



1. EV charging station owners or operators must ensure that, at a minimum and for the duration of the temporary dispensation, each eligible EV charging device:

a) “is not operated commercially or available to the general public;”

Per clause 1a, we recognize the importance of ensuring that only non-commercial purchasers are served under the condition of this dispensation, but are seeking further guidance on how this may be achieved. Will signage be sufficient? Are owners expected to establish a lock and key system to access the EV unit? For example, if in order to secure an EV charging site, the contractor must relocate their station, then the dispensation would be nullified under the proposed clause.

There is a separate concern under the current language of the dispensation, that if a station needs to be moved off-site to be repaired or modified, and the owner/operator/contractor receives a new temporary unit in its place to maintain service for purchasers, the dispensation would be nullified. Example: a unit in the Northwest Territories is broken. The owner/operator (contractor) is lent a different EVSE as a replacement to maintain vital service for a remote community. Will that contractor now be in breach of the temporary dispensation? Will they need to register and seek approval for that new unit?

b) “supplies electricity within a limit of error agreed upon by the owner and the consumer (“purchaser” under the Act), or where an agreement is not in place, supplies electricity within a limit of error of $\pm 3\%$;”

In section 1b, we notice that without a prior contract, the limit of error is agreed to be $\pm 3\%$. We suggest that readily visible signage and labelling could substitute as a contract in this instance. A placard on the EVSE stating that the charging device is part of the Measurement Canada dispensation and not subject to all Measurements Canada standards would allow the purchaser to make an informed decision on whether they wish to continue with the transaction.



c) “is installed with a metering system capable of measuring the delivered energy;”

For 1c, in regard to the condition requiring EV units to be installed with a metering device capable of measuring the delivered energy, we recommend a meter resolution of 0.01 kWh, instead of Measurement Canada’s previously proposed 0.0001 kWh measurement resolution. We make this recommendation because the amount a single EVSE will dispense in a single charging session, even to a potential 300 kWh battery, will still resolve the transaction to 0.3 kWh or about 3 cents which is the smallest variance Canada’s physical currency, i.e. a nickel can resolve. This is in line with Electricity Canada’s previous response to Clause 1b in “Consultation on the oversight of level 3+ electric vehicle charging devices already in service”, published by Measurement Canada on November 4th 2022 – December 9th 2022.

d) “uses the watt-hour, or any multiple or submultiple of the watt-hour, as the unit of measurement for the sale of electricity;”

Clause 1d should be modified to confirm the ability to optionally supply electricity based on either:

- time; or
- measured energy; or
- a combination of both time and measured energy.

When sold on the basis of measured energy, the watt-hour, or any multiple or submultiple of the watt-hour, shall be used.

e) “is operated in accordance with manufacturer specifications”

We have no comment on section 1e at this time.

f) “is equipped with a means to display and invoice legally relevant information that is either connected to an integral, remote or non-connected system (e.g. a remote register) or any information storage system such as the Cloud network.”

Per section 1f, we note and welcome the breadth of options made available to owners in the clause requiring billing and invoicing. Owner/operator (contractor) record keeping is of vital importance, which is why we are seeking further clarification on every clause in section two of the proposal.





2) “EV charging station owners or operators must put in place a process for dealing with customer complaints that, at a minimum:

a) “records complaints from purchasers”

In section 2a, we agree that a complaints system should be set in place to settle disputes, provide fair service to customers, and record potential areas of improvement for the devices, owners, and operators. We are requesting guidance and advice for operators on how a system like this could be implemented. What is the scope of this proposed document? What details are vital and must be captured?

We note that it is also important that any system Measurement Canada requires is based on best practices. Ideally, Measurement Canada’s guidance and standardized documentation should be made available to the industry as best practices and job aids only—not mandatory requirements. Many utilities already have a robust customer complaint process that is subject to energy board oversight and we would not want Measurement Canada to introduce any duplicative regulatory requirements.

b) “makes inquiries with the purchaser who made the complaint and of any person who could reasonably be expected to have knowledge relevant to the matter;”

For section 2b, in investigating the complaint, by follow-up procedures with the customer and others who may have knowledge of the matter, we seek guidance on what details must be captured to fulfill Measurement Canada requirements. Our suggestion is that Measurement Canada provides a series of standardized forms and information booklets to assist small operators who may have never needed a formal quality records policy and procedure before.

We suggest that these guidance documents promote industry best practices in records management, with an appendix/glossary for document types, how the documents should be recorded, stored, the length of time each document type should be stored for, and processes for how, and to whom, records should be transmitted to Measurement Canada upon request. Measurement Canada should also take into consideration their commitment to better understand and work with the needs of Canadians in remote and rural areas, and be able to differentiate records requirements for these owners and operators. This is in line with Measurement Canada’s results of “Consultation on device inspections in remote locations”, published in February of 2021. **This would also aid in the fulfillment of clause 2e, making records available to Measurement Canada upon request.**



We highlight that this work and guidance is crucial in order to protect the privacy of all stakeholders. Under the *Personal Information Protection and Electronic Documents Act* (PIPEDA) and current provincial privacy laws, the governance of data for non-commercial uses is not currently covered. Any information that Measurement Canada gathers in the pursuance of this dispensation will be protected by *The Privacy Act*. There is no current law that requires the contractors in this dispensation to protect visitor logs, complaints, emails, phone numbers, addresses, vehicle type and license plates. We suggest, however, that Measurement Canada promotes guidelines for contractors that exceed the limitations of the acts, and choose best practices for data management in excess of municipal, provincial, or federal requirements.

- c) **“examines any records related to the EV charging devices that are the subject of complaints;”**
- d) **“when applicable, documents the results of any tests and provides a copy of the results to the purchaser who made the complaint;”**

In sections 2c and 2d, Measurement Canada requests owners and operators to document and examine the results of any relevant testing. We feel that this places an unfair burden of responsibility upon device owners, and should instead be outsourced to the inspectors or accredited meter verifiers, as these are the only persons currently permitted by the act to verify, seal, reverify, or reseal, EV meters under the *Electricity and Gas Inspection Act*.

- f) **“institutes corrective measures to address any failure to meet the terms and conditions of the temporary dispensation, discovered as a result of the complaint investigation process.”**

Section 2f asks owners and operators to institute corrective measures in response to complaints. We ask Measurement Canada to also include a section in their templates and guidance documents on how to satisfy this condition of the temporary dispensation. We ask Measurement Canada to again consider the needs of rural Canadians, and allow for exemptions when corrective and preventative measures can not be instituted, for example, when an owner or operator is not able to acquire parts or inspection services due to supply chain disruptions.