Proposal for a Regulation on Alternative Fuels Infrastructure
CEDEC amendments

RECOMMENDATIONS FOR THE ALTERNATIVE FUELS INFRASTRUCTURE REGULATION (AFIR)

We welcome the reviewed Alternative Fuels Infrastructure Regulation (AFIR), which is needed to keep pace with the expected sharp rise in alternative fuels vehicles and with the required progress in the development of **customer-friendly recharging infrastructure**. A well-developed European network of publicly accessible charging points is necessary, with transparent pricing and easy access for customers.

Regional and local public energy companies, including DSOs, play a crucial role in the **deployment of public charging infrastructure** for electric vehicles (EVs) and other alternative fuels. They will have to ensure that all electric and gaseous mobility solutions can be connected at distribution level.

For a successful development of alternative fuels mobility, a coordinated approach with the energy grids is needed, which will further enable **flexibility in the energy system**. In that sense, it is very positive that the proposal puts a **clear focus on the role that DSOs play** in the maintenance of grid stability, the provision of flexibility and in the assessment of the potential contribution of bidirectional charging as a tool for an increased integration of renewable energy sources. To ensure the availability of the energy infrastructure and grid services necessary to reach the final expansion targets, energy DSOs will need the necessary lead time for the planning and implementation processes, in **close cooperation with the local and regional authorities**.

Finally, operators of recharging points will have to ensure that publicly accessible recharging points operated by them are digitally connected and capable of smart charging. Therefore, a **reasonable transition period** (at least for normal power charging points) should be foreseen for both grid and charging point operators.

Guidance: in ***bold italics*** we indicate where the Commission text is being modified and shows our related amendments; text struck through in the Commission text corresponds to existing provisions now being deleted by the Commission proposed review; text added or amended by the rapporteur is indicated in ***bold italics***, and text in ***red bold italics*** indicates where rapporteur text is being modified and shows our related amendments. Wherever no text is presented, no amendment is being proposed.

AM 1 – Definitions – 'Publicly accessible' alternative fuels infrastructure

Amendment 30 by the Rapporteur changing Article 2.1 point 38		
Text proposed by the Commission	**Text proposed by Rapporteur**	**CEDEC amendment**
(38) 'publicly accessible' alternative fuels infrastructure, means an alternative fuels infrastructure which is located at a site or premise that is open to the general public, irrespective of whether the alternative fuels infrastructure is located on public or on private property, ***whether limitations or conditions apply in terms of access to the site or premise*** and irrespective of the applicable use conditions of the alternative fuels infrastructure;	(38) 'publicly accessible' alternative fuels infrastructure, means an alternative fuels infrastructure which is located at a site or premise that is open to the general public***, including persons with reduced mobility,*** irrespective of whether the alternative fuels infrastructure is located on public or on private property, whether limitations or conditions apply in terms of access to the site or premise and irrespective of the applicable use conditions of the alternative fuels infrastructure;	(38) 'publicly accessible' alternative fuels infrastructure, means an alternative fuels infrastructure which is located at a site or premise that is open to the general public, irrespective of whether the alternative fuels infrastructure is located on public or on private property, ***unless the operator has restricted the use to an individually determined group of persons by means of a clearly visible label,*** and irrespective of the applicable use conditions of the alternative fuels infrastructure;
Justification: Generally, we welcome the introduction of a uniform EU-wide definition. However, the technical requirements for public infrastructure, like public charging stations, should differ significantly from the requirements for semi-public or private infrastructure. When it concerns semi-public or private infrastructure, the technical requirements should be less stringent; in these cases, the operator shall have the right to restrict the use to an individually determined group of persons, dependent on an application or registration, and indicated by means of a clearly visible label. Operators of publicly accessible recharging points are subject to specific requirements, like ensuring that those points "accept electronic payments through terminals and devices used for payment services" (Art. 5.2(a)), are "digitally-connected" (Art. 5.7), "capable of smart charging" (Art. 5.8), or "have a fixed recharging cable installed" (Art. 5.10). In order to avoid that too high (too expensive) requirements hinder the further development of recharging points and thus the densification of the charging network overall, the new definition of "publicly accessible" must be narrowed down and be more precise, especially when it concerns installations on semi-public or private property. As an example, destination charging (like sport clubs or holiday destinations) will not satisfactorily develop if the installation requirements are too high.		

AM 2 – Recharging infrastructure – Ensure necessary lead time for network planning

Article 4 NEW par. 3		
Text proposed by the Commission	**Text proposed by Rapporteur**	**CEDEC amendment**
		3. To guarantee the timely development of the required electricity network expansion, Member States shall ensure that planned areas for the development of these locations are defined and declared binding no later than 6 months after the date specified in Article 24, with the involvement of the local authorities and electricity distribution system operators concerned."
Justification: In many cases, the provision of the services required for the final expansion targets (2025/2030 or even earlier as proposed by the Rapporteur) will require electricity network expansion projects. In order to ensure the necessary lead time for the planning and implementation processes, it is necessary to define the locations - in a binding framework – and the performance requirements for local electricity networks in cooperation with the regional authorities and electricity distribution operators. This proposal for amendment is connected with a proposal for amendment in Art. 13 par. 3 on the involvement of distribution system operators.		

AM 3 – Recharging infrastructure – No retrofitting for existing recharging stations with payment card readers

Amendments 59, 60, 61, 62 & 63 by the Rapporteur changing Article 5.2		
Text proposed by the Commission	**Text proposed by Rapporteur**	**CEDEC amendment**
2. Operators of recharging points shall, at the publicly accessible recharging points operated by them, provide end users with the possibility to recharge their electric vehicle on an ad hoc basis using a payment instrument that is widely used in the Union. To that end:		2. Operators of recharging points shall, at the publicly accessible recharging points operated by them, provide end users with the possibility to recharge their electric vehicle on an ad hoc basis using a payment instrument that is widely used in the Union. To that end:
a) operators of recharging points shall, at publicly accessible recharging stations ***with a power output below 50 kW,*** deployed from the date referred to in Article 24, accept electronic payments through terminals and devices used for payment services, including at least one of the following:	(a) operators of recharging points shall, at publicly accessible recharging stations deployed from the date referred to in Article 24, accept electronic payments through terminals and devices used for payment services, including at least ***payment card readers and, if possible also*** one of the following:	(a) operators of recharging points shall, at publicly accessible recharging stations ***with a power output below 50 kW,*** deployed from the date referred to in Article 24, accept electronic payments through terminals and devices used for payment services, including at least one of the following:
(i) payment card readers;	***deleted***	***(i) payment card readers;***
(ii) devices with a contactless functionality that ***is at least able to read payment cards;***	(ii) devices with a contactless functionality that ***is at least able to read payment cards, or***	(ii) devices with a contactless functionality that ***allows for electronic payments;***
(iii) devices using an internet connection with which for instance a Quick Response code can be specifically generated and used for the payment transaction;	(iii) devices using an internet connection with which for instance a Quick Response code can be specifically generated and used for the payment transaction;	(iii) devices using an internet connection with which for instance a Quick Response code can be specifically generated and used for the payment transaction;
(b) operators of recharging points shall, at publicly accessible recharging stations with a power output	***deleted***	(b) operators of recharging points shall, at publicly accessible recharging stations with a power output

equal to or more than 50 kW, deployed from the date referred to in Article 24, accept electronic payments through terminals and devices used for payment services, including at least one of the following: (i) payment card readers; (ii) devices with a contactless functionality that ***is at least able to read payment cards***. From 1 January 20***27*** onwards, operators of recharging points shall ensure that all publicly accessible recharging stations with a power output equal to or more than 50 kW operated by them comply with the requirement ***in point (b)***.	From 1 January 20***25*** onwards, operators of recharging points shall ensure that all publicly accessible recharging stations operated by them comply with the requirements ***laid down in this Article***.	equal to or more than 50 kW, deployed from the date referred to in Article 24, accept electronic payments through terminals and devices used for payment services, including at least one of the following: (i) payment card readers; (ii) devices with a contactless functionality that ***allows for electronic payments***. From 1 January 20***30*** onwards, operators of ***existing*** recharging points shall ensure that all publicly accessible recharging stations with a power output equal to or more than 50 kW operated by them comply with the ***requirement in point (b)***.

Justification:

In paragraph 2 the proposal foresees detailed requirements on payment options for ad hoc charging processes at charging stations, including an obligation to retrofit existing recharging stations above 50 kW as from 2027.

The goal should be that operators offer payment systems that are widely spread and accepted by customers across Europe. This should include (contactless) payments by credit or debit card as well as mobile-based options, all to be equally acceptable and alternatively possible. Currently, both the ad hoc charging as well as billing and payment for the charging process may take place via the user's mobile device (smartphone). Therefore, the formulation in (a)(ii) and (b)(ii) should be formulated more broadly and generally refer to "devices with a contactless functionality that allows for electronic payments", which can include payment cards but is not restrictive.

The proposed requirements create unnecessary limitations to the freedom of operators of charging infrastructure in developing competitive business models, also limiting their ability to react appropriately to changing user needs. Instead of providing specific requirements on payment options, the focus should be on allowing customer-friendly payment options and harmonising them across Member States, in order to promote acceptance of the use of publicly accessible charging infrastructure.

Concerning a transition period: the efforts and costs involved in retrofitting existing recharging stations are not economically proportionate to the expected benefit. Therefore, a more reasonable transition period would be till 2030 taking into account depreciation times of existing recharging points.

AM 4 – Recharging infrastructure – Display of prices

Amendment 65, 66, 67 & 68 by the Rapporteur changing Article 5.5		
Text proposed by the Commission	**Text proposed by Rapporteur**	**CEDEC amendment**
5. Operators of recharging points shall clearly display the ad hoc price and all ***its*** components at all publicly accessible recharging stations operated by them so that ***these are*** known to end users before they initiate a recharging session. ***At least the following price components, if applicable at the recharging station, shall be clearly displayed:***	5. Operators of recharging points shall clearly display the ad hoc price ***per kWh*** and all ***its*** components at all publicly accessible recharging stations operated by them so that ***this information is*** known to end users before they initiate a recharging session.	5. Operators of recharging points shall clearly display***, including on a remote display such as a mobile phone or in the vehicle itself,*** the ad hoc price ***per kWh*** and all ***other*** components at all publicly accessible recharging stations operated by them so that ***this information is*** known to end users before they initiate a recharging session.
– price per session,	***deleted***	***deleted***
– price per minute,	***deleted***	***deleted***
– price per kWh.	***deleted***	***deleted***
Justification: • The current draft implies that in the future every recharging station would need to have a physical display on the recharging installation. The retrofitting of existing recharging infrastructure with a physical display would unavoidably lead to unreasonable additional costs, which can be avoided if prices can also be shown on a remote display such as a mobile phone or in the electric vehicle. • Information on prices should include above all the energy price per kilowatt hour, as well as (additional) fixed price components, to foster price transparency and enhance comparability for customers.		

AM 5 – Recharging infrastructure – Transitional periods for recharging stations to make them digitally-connected & capable of smart charging

Amendment 70 by the Rapporteur changing Article 5.8		
Text proposed by the Commission	**Text proposed by Rapporteur**	**CEDEC amendment**
7. From the date referred to in Article 24, operators of recharging points shall ensure that all publicly accessible recharging points operated by them are digitally-connected recharging points.		7. From the date referred to in Article 24, operators of recharging points shall ensure that all ***newly installed*** publicly accessible recharging points operated by them are digitally-connected recharging points. ***A transitional period until 2027 is foreseen for existing normal power recharging points.***
8. From the date referred to in Article 24, operators of recharging points shall ensure that all publicly accessible normal power recharging points operated by them are capable of smart recharging.	8. From the date referred to in Article 24, operators of recharging points shall ensure that all publicly accessible power recharging points operated by them are capable of smart recharging.	8. From the date referred to in Article 24, operators of recharging points shall ensure that all ***newly installed*** publicly accessible ***normal*** power recharging points operated by them are capable of smart recharging. ***A transitional period until 2027 is foreseen for existing normal power recharging points.***

Justification:

According to this article, operators of recharging points will have to ensure that publicly accessible recharging points operated by them are digitally connected recharging points (par. 7, for high power and normal power recharging points) and capable of smart charging (par. 8, for normal power recharging points). This obligation would apply as from the entry into force of the Regulation, which means that no transition period is foreseen. This article should provide for a reasonable transition period, at least for normal power charging points. Transition time is necessary for grid and charging point operators to make all recharging points digitally connected and provide for smart charging functionalities.

Smart charging will indeed be a key contributor to maximise the integration of renewable energy in e-mobility and to bring more flexibility in the energy system. Not all existing EV charging infrastructure is ready on hardware and/or software yet to fully support this technological potential. Therefore, the rules on digitally-connected and smart charging defined in Article 5.7 and 5.8 (and Article 20a of RED III) should only apply to new recharging points, while a transitional phase until 2027 is required for existing normal power recharging points.

AM 6 – National policy frameworks – Inclusion of distribution system operators in the planning process

Amendment 93 by the Rapporteur changing Art. 13.3		
Text proposed by the Commission	**Text proposed by Rapporteur**	**CEDEC amendment**
3. Member States shall ensure that national policy frameworks take into account, as appropriate, the interests of regional and local authorities, in particular when recharging and refuelling infrastructure for public transport is concerned, as well as those of the stakeholders concerned***.***	3. Member States shall ensure that national policy frameworks take into account, as appropriate, the interests of regional and local authorities, in particular when recharging and refuelling infrastructure for public transport is concerned, as well as those of the stakeholders concerned***. Those regional and local authorities shall be consulted on a regular basis for their input regarding the deployment of the alternative fuels infrastructure.***	3. Member States shall ensure that national policy frameworks take into account, as appropriate, the interests of regional and local authorities, in particular when recharging and refuelling infrastructure for public transport is concerned, as well as those of the stakeholders concerned. ***Those regional and local authorities, including energy distribution system operators (DSOs), shall be consulted on a regular basis for their input regarding the deployment of the alternative fuels infrastructure.***
Justification: We support the positive amendment by the Rapporteur. Since energy distribution system operators are responsible for the investments in the required grid capacity for the expansion of alternative fuels mobility, and for guaranteeing security of supply and stability of the energy system, it is also essential that the energy distribution system operators are integrated into all preparatory planning and decision-making processes at the earliest possible stage.		