State EV Deployment Plan Exception Requests

As part of the development and approval of State Plans, a State may submit a request for discretionary exceptions from the requirement that charging infrastructure is installed every 50 miles along designated Alternative Fuel Corridor highway and within 1 travel mile of the designated Alternative Fuel Corridor highway. Exceptions will be granted under very limited circumstances on a case-by-case basis, approved in conjunction with annual state plan certification. A State may apply for an exception to the 50-mile criteria, an exception to the 1-mile (proximity) criteria or both for any of four reasons:

- **Grid Capacity:** Delivering sufficient power to the charging site requires major upgrades to existing infrastructure
- **Geography:** Lack of necessary services or access to the site significantly compromise accessibility and/or functionality (e.g., roadway exits, necessary amenities)
- **Equity:** An alternate location that would still service travelers on the Interstate or Alternative Fuel Corridor would better support providing benefits to a disadvantaged community
- **Extraordinary Cost:** Costs to locate and operate a station at given site prevent its economic viability even with federal funding through NEVI or other sources

Exceptions to the **50-mile criteria will be valid for the year of the plan** being certified; exceptions to the **1-mile criteria will be permanent upon commissioning of the charging site.** 50-mile exceptions will be revisited annually as conditions change and State Plans are updated. Greater scrutiny will be applied to larger deviations from the distance requirements.

Through the Bipartisan Infrastructure Law, the NEVI program has funding appropriated in FY22-FY26. States are encouraged to focus on exception requests for conditions that they expect to persist through this timeframe. States interested in requesting a discretionary exception are encouraged to provide the information outlined in this template to enable an appropriate determination.

The exception requests may be submitted as a separate attachment to the State Plan or the information included below may be incorporated directly into the State Plan. **States are encouraged to submit a completed template to the Joint Office of Energy and Transportation for review and preliminary feedback in advance of State Plan submittal.** To submit the exception request in advance of the State Plan submittal send the MS Word or PDF file as an attachment to the DriveElectricSubmission email.

**Exception Request Template**

**Summary of Requests**
To complete this template, you will need to do three things:

- Populate the following table summarizing each of the exception requests;
- Insert the corresponding exception number on a map highlighting where the exception(s) is requested and the corresponding Alternative Fuel Corridor; and
- Provide, in paragraph form, the justification for exceptions as explained below
<table>
<thead>
<tr>
<th>Exception #1</th>
<th>Type²</th>
<th>Distance of Deviation³</th>
<th>Included in Round 6 AFC Nomination</th>
<th>Reason for Exception Request⁴</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ 50 miles apart  □ 1 mile from exit</td>
<td>__ miles  __ miles</td>
<td>□ Yes  □ No</td>
<td>□ Grid Capacity  □ Geography  □ Equity  □ Extraordinary Cost</td>
<td></td>
</tr>
</tbody>
</table>

1. Indicate the number for this specific exception request that corresponds to the same number located on the map provided below.
2. Select 50-mile and/or 1-mile distance exception or both
3. Note the distance of the exception request. For example, if the exception request is for a deviation of 5 miles from the 50-mile requirement, indicate 5-miles.
4. Check all reasons that apply. [INSERT MAP]

**Justification for Exception(s)**

For each exception request in the table above, provide a justification in paragraph form:

1. Explain why the request for an exception is being made, providing information to substantiate each of the allowable reasons that are applicable.
2. Describe the alternative location that is being proposed and explain how the alternative being proposed to the requirements contributes to the completion of a national network of convenient, affordable, reliable, and equitable EV charging infrastructure.
3. Reference or include any analysis that has been performed that substantiates the request for a discretionary exception.