

16 March 2021

**To:**

Mr Frans Timmermans, Executive Vice-President for the European Green Deal  
Ms Adina Valean, Commissioner for Transport  
Mr Thierry Breton, Commissioner for Internal Market  
Ms Kadri Simson, Commissioner for Energy

**Copy:**

Mr Kurt Vandenberghe, European Green Deal Adviser to Commission President Ursula von der Leyen,  
Mr Filip-Alexandru Negreanu-Arboreanu, Deputy Head of Cabinet of Commissioner Adina Valean,  
Mr Daniel Mes, Member of Cabinet of Executive Vice-President Mr. Frans Timmermans,  
Mr Cristian-Silviu Buşoi, European Parliament Chair of ITRE Committee,  
Ms Karima Delli, European Parliament Chair of the TRAN Committee,  
Mr Pascal Canfin, European Parliament Chair of the ENVI Committee,  
Mr Nuno Brito, Portuguese Permanent Representative to EU  
Mr Iztok Jarc, Slovenian Permanent Representative to EU  
Mr Philippe L glise-Costa, French Permanent Representative to EU

## Europe urgently needs a standalone EV charging Regulation

Dear Vice-President Timmermans, Commissioner Valean, Commissioner Breton, Commissioner Simson, ChargeUp Europe, the voice of the electric vehicle (EV) charging infrastructure industry, bringing together the charge point operators, e-mobility service providers and hardware manufacturers, is writing to you today to call for a dedicated European legislative framework for the deployment of EV charging infrastructure in Europe.

**In the context of the upcoming 'Fit-for-55' package and the review of the current Alternative Fuels Infrastructure Directive (AFID), we strongly urge the European Commission to consider carving out a standalone Electric Vehicle Charging Infrastructure Regulation (CIR) as the most effective way to speed up the decarbonisation of road transport in Europe.**

### The Mainstreaming of the EV sector

Europe has seen multi-billion euro investments in electromobility in recent years. Electric vehicle sales are skyrocketing with 1.4 million EVs sold last year. That number is expected to grow at least 40% year-on-year over the next decade. Electric mobility and EV charging can no longer be regarded as an *alternative* transport *fuel* segment.

**The sector is rapidly growing and increasingly mainstream and Europe should continue to set the standard for the decarbonisation of transport around the world.** The surge in European EV sales in 2020 was the direct consequence of targets under the Regulation on CO2 emission standards for passenger cars and light duty vehicles which has steered the car industry to invest in and scale up the supply of EVs in Europe. The next step is for Europe to take industrial leadership on charging infrastructure.

Currently, on the infrastructure side, a patchwork of national approaches, lack of competition rules, interoperability of technical requirements and incoherent policy planning models at the EU and national levels risks slowing down the EV transition at the very moment it should be speeding up.

**As a consequence, the EV charging sector calls for a tailor-made Regulation** for electric vehicle charging infrastructure, separate and independent of other alternative fuels and emerging technologies that should continue to be regulated under the revised AFID.

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## The need for a standalone Regulation

Concretely, this should entail an **Electric Vehicle Charging Infrastructure Regulation (CIR)** that is backed by smart deployment targets, mandatory interoperability to enable consumers to access and use charging infrastructure (e.g. obligation for operators to participate in roaming, harmonized technology standards and open protocols) and uniform concession and connection requirements.

All of these elements are urgently needed to encourage the private investment that will allow the market for EV charging infrastructure to scale faster - currently a major barrier to further accelerating the uptake of electric mobility in Europe.

**Setting ambitious targets for the roll out of EV infrastructure without a harmonised legal framework to back this up would be a missed opportunity for the sector and for the EU's climate ambitions.**

While the EU has succeeded in creating a pan-European market for zero-emission vehicles (via a Regulation), there is clear evidence of market fragmentation when it comes to charging infrastructure. The current AFID regulatory framework has been poorly implemented. Its legal basis has led to inadequate enforcement, which in turn has led to uneven and underdeveloped charging infrastructure networks in many parts of Europe.

Divergent hardware, metering or accessibility requirements, discriminatory concession procedures, a lack of public site allocations for fast charging and incoherent National Policy Frameworks have all acted as barriers to investment and led to slow deployment in a number of Member States.

At the same time, EV charging deployment requirements have been separately set under the Energy Performance of Buildings Directive (EPBD), which covers not only private but also publicly accessible non-residential sites. While these requirements are now being implemented at Member State level, we note that in many instances there is no oversight of what is and should be deployed in which domain, thus not taking into account the various use cases of EV charging.

**A European single market for EV charging infrastructure simply does not exist today.**

This creates barriers to roll-out, pushes up consumer prices, impacts the quality of services that can be provided to drivers and directly hinders our sector's capacity to scale faster across Europe. Ultimately, this lack of harmonization is a threat to the investment plans of the European automotive industry and the EU's decarbonization ambitions for the transport sector as a whole.

## Call to Action

With the demand for electric vehicles soaring and prices becoming ever more competitive, Europe has the regulatory tools at hand to ensure that the infrastructure market grows apace. Doing so will support the growth of the EV market and associated job creation, along with the clear climate and environmental benefits of the EV transition.

**The solution is a separate European Regulation for EV charging infrastructure which sits at the core of a dedicated European governance regime for EV charging infrastructure**, including complementary rules for charging under the EPBD and a clear methodology for Member State roll-out plans and funding programmes that should be subject to oversight at the EU level.

Such an approach is needed to prevent national fragmentation, enable effective charging, and harmonise technical requirements to the benefit of investors and EV drivers alike.

**ChargeUp Europe calls on the European Commission to grab this historic opportunity to create the conditions for a truly sustainable future for road transport in Europe.**

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## Why a tailored approach for EV charging infrastructure?

A dedicated EV Recharging Infrastructure Regulation is crucial to delivering on the following objectives:

### 1. Meeting the EU's ambition of 3 million public charging stations by 2030

A Regulation creating a framework for National Charging Action Plans, would allow progress to be monitored, regularly reviewed, and steered in an equitable, transparent, and harmonized way throughout Europe. Smart targets under national plans should be set over a long-term perspective and developed according to a standardized EU methodology that takes into account the complexities and specificities of different charging scenarios at regional and national levels. National Charging Action Plans should not just bring forward a number for public chargers, but instead be as comprehensive as possible in all its dimensions: tracking scale up rates for all types of vehicles across all charging segments, from private to commercial and public charging, and taking into consideration other factors such as power use and accessibility.

A **Charging Infrastructure Regulation (CIR)** would also be a more effective instrument to ensure that EU funding under the Recovery and Resilience Facility is efficiently allocated. It would help set the requirements that Member States will need to cover in their national investment and recovery plans, and how such funding should be channeled to stimulate private investment towards EV charging infrastructure roll-out. Additionally, given Member States investment capacity constraints, a common assessment methodology would ensure that: (i) no Member State is left behind, and that (ii) EU funding is properly allocated to ensure a truly interoperable European network. The success to date of the TEN-T Regulation demonstrates the effectiveness of a strong regulatory framework in this regard.

### 2. Creating an open, predictable market for investors and operators

Rolling out, designing, investing, maintaining, and servicing charging infrastructure is a rationally-driven commercial activity that requires long term investment plans. A harmonised regulatory regime would provide a clear investment framework for market players. Ensuring that concession and tender systems across Europe are transparent, open to new players and non-discriminatory will stimulate competition and growth in the sector. Developing a truly European market for charging infrastructure via a standalone Regulation would allow market players to compete across borders and contribute further to the creation of digital and green jobs.

### 3. Preventing the development of a 2-speed Europe

While certain Member States have been highly ambitious and are electrifying rapidly, others are far more conservative and moving more slowly with large disparities across different parts of Europe. As a result, they are falling further behind, with a negative impact on future labour, tourism, commercial and industrial development. An open Europe in terms of mobility and free movement of people and goods needs to be supported with harmonization of investments in charging infrastructure and related grid systems and uniform requirements for customer experience, from cars to trucks. Infrastructure decisions today will have a significant multiplier effect on delivery routes and localization strategies of companies in the future.

### 4. Avoiding slowdown in EV adoption

EU-wide emission reduction targets for cars, vans and trucks need to be matched with a similar approach on infrastructure to avoid a slowdown in EV sales which could eventually undermine consumer buy-in for the EV transition. A dedicated EV Charging Infrastructure Regulation would put an end to the chicken-and-egg debate about what comes first - the vehicle or the charger?

### 5. Safeguarding drivers' interests

A standalone Regulation would allow for uniform technological, metering, pricing and market standards throughout the EU. Consistent minimum technical requirements on interoperable hard- and software interfaces applied across all Member States would enhance the EV driving experience and facilitate even more competitively priced charging services. Uniform metering standards and price transparency rules would make charging an EV just as convenient as fuelling a combustion engine vehicle and would guarantee transparency and comparability of prices for the consumers. Moreover, a Regulation could oblige operators of EV charging infrastructure to participate in roaming with other European operators and EV service providers, in line with defined (minimum standard, non-discriminatory) technical and commercial conditions, in order to allow EV drivers to charge their EV throughout the EU, with only one single contract with one EV service provider of their choice.

## **6. Supporting EU energy transition ambitions**

A CIR would also help tackle transparency and governance challenges in relation to electricity grid integration, which are not relevant to other fuels covered by the current AFID framework. Timeframes for connection to distribution grids and approval processes for charging infrastructure vary significantly from one Member State to another, and are often too lengthy and opaque, creating major bottlenecks to market growth. Given the relatively simple nature of most EV charging infrastructure requests due to the use of standardised hardware profiles, a Regulation could help to facilitate and speed up the approval of standardised EV charging infrastructure requests.

Scaling up EV charging infrastructure in Europe will also help to capitalize on the enormous energy storage and flexibility potential of this market. Synergies between mobile batteries and the grid or electricity system are of major strategic importance to our sector, the energy system, and the economy as a whole. With a clear regulatory framework in place, the European EV charging industry can play a pivotal role in helping Europe become energy independent as a region.