

From: [Mitchell, Phillip](#)
To: [Ross De Rango](#)
Cc: [Ramakrishnan, Sowmya](#)
Subject: RE: Follow up [SEC=OFFICIAL]
Date: Wednesday, 25 May 2022 1:40:46 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Dear Ross,

It was good to meet with you on 13 May.

I would like to confirm that, at present, NMI will not initiate any enforcement action for EV charging systems (EVCS). This includes for the use of non-approved electricity meters as part of an EVCS. This effectively means that there are no current requirements for pattern approval or verification for EVCS, or electricity meters used as part of an EVCS.

NMI is currently considering the trade measurement policy for EVCS going forward. I am unable to confirm at this stage what the policy will be or the timeframe. This will be communicated in due course.

However, I would like to provide assurances that we have taken note of your feedback (and all feedback received through consultation). In particular, we are aware of the importance of sufficient notification for introducing regulatory changes, in particular for any regulation that would impact installed EVCS.

Kind Regards

Phillip Mitchell

Manager, Legal Metrology Policy Unit

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OFFICIAL

From: Ross De Rango [mailto:Ross@evc.org.au]

Sent: Monday, 16 May 2022 3:20 PM

To: Mitchell, Phillip <Phillip.Mitchell@measurement.gov.au>; Ramakrishnan, Sowmya <Sowmya.Ramakrishnan@measurement.gov.au>

Subject: Follow up

Hi Phillip and Sowmya,

Thanks for your time on Friday, much appreciated.

Per our discussion, the August 2021 consultation paper made it clear that “EVCS used for billing customers for supplied active energy (kWh) measured on AC circuits are captured by the requirements for electricity meters under the Act”. Our guidance as an industry body has been in line with this written position, that if people are selling kWh from AC EV chargers, they need to use NMI pattern approved meters.

Our understanding from the call on Friday is that NMI is not presently requiring compliance to this requirement – that regulation in this space is essentially on hold until the new rules are developed. The position we understood from the call is that until this consultation process delivers new measurement laws, the sale of energy for EVs is effectively unregulated from an NMI perspective.

As you’ll appreciate, this is a commercially important matter to businesses deploying and operating EV charging equipment today. The requirement, or lack of requirement, for an NMI pattern approved meter has significant cost implications for businesses working in the EV space, because many EV charging hardware products are designed to connect to cloud platforms and report kWh based on internal measurement, but do not have NMI-pattern approved metering equipment taking the measurement.

What would be particularly helpful here would be a letter from the NMI clarifying this position. Ideally, the letter would identify:

- 1) That existing NMI metering requirements relating to the supply of active energy on AC circuits do not apply to EV charging.
- 2) That new requirements are being created to address EV charging, with an estimated timeline of when they’ll come into force.
- 3) That equipment installed under the current absence of regulation will either:
 - a. Be permitted to continue to operate without being brought to a state of compliance with new requirements, or
 - b. Be permitted a specific and nominated timeframe (for example 12 years) of operation from the introduction of new requirements, at which point they will be required to comply.

A letter of this nature would solve a lot of confusion, and provide certainty for businesses operating in this emerging space.

Happy to discuss further at your convenience of course, and thanks again for taking the time to talk to us!

Cheers,

Ross De Rango

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