



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Office of the Administrator

1200 New Jersey Ave., SE  
Washington, DC 20590

July 26, 2023

Mr. David Terry  
President  
National Association of State Energy Officials  
1300 North 17th Street  
Arlington, VA 22209

Dear Mr. Terry:

Thank you for your letter on behalf of the American Association of State Highway and Transportation Officials and the National Association of State Energy Officials regarding the August 1 deadline for States submitting their electric vehicle (EV) infrastructure deployment plans (State plans) in the second year of the National Electric Vehicle Infrastructure (NEVI) Formula Program enacted under the Bipartisan Infrastructure Law.

Your letter indicated concerns regarding States' ability to meet the deadline, particularly given the inclusion of additional items in the plans, including a Community Engagement Outcomes Report added pursuant to rulemaking (23 CFR Part 680.112(d)) published on February 28, 2023. I appreciate your statement that States are working to ensure success of the NEVI Program; this is our shared goal. As such, while we expect most States will meet the August 1 deadline, the Federal Highway Administration (FHWA) will work individually with any State that may be delayed in submitting its State Plan, recognizing that Fiscal Year 2024 NEVI Formula Program funding cannot be made available until the State Plan is approved. I hope this will address the concerns raised in your letter and lead to expeditious implementation of approved State plans that will build a convenient, reliable, and affordable EV charging network across the country.

Please reach out to me if you would like to discuss. Any State wishing to discuss the timing of its State plan should contact FHWA Director of the Office of Natural Environment, Gary Jensen at [gary.jensen@dot.gov](mailto:gary.jensen@dot.gov) or 202-366-2048, and the Joint Office of Energy and Transportation Executive Director, Gabe Klein at [Gabriel.klein@ee.doe.gov](mailto:Gabriel.klein@ee.doe.gov) or 202-586-2475. A similar response has been sent to the cosigner of your letter.

Sincerely,

Shailen P. Bhatt  
Administrator

cc:

Hari Kalla, Associate Administrator, Infrastructure, FHWA  
Gabriel Klein, Executive Director, Joint Office of Energy and Transportation  
Rachael Nealer, Deputy Director, Joint Office of Energy and Transportation  
Alex Schroeder, Chief Technology Officer, Joint Office of Energy and Transportation