

New Federal Funding Opportunity Announced to Supercharge Electric Vehicle and Alternative Fuel Infrastructure Development

March 20, 2023

The Biden administration, in conjunction with the U.S. Department of Transportation (DOT), recently issued a Notice of Funding Opportunity (NOFO) for a new grant program to fund electric vehicle (EV) charging and alternative-fueling infrastructure across the United States. Applications must be submitted by May 30, 2023.

Congress established the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program in section 11401 of the Infrastructure Investment and Jobs Act (IIJA) of 2021 (H.R. 3684) to strategically deploy EV charging and hydrogen, propane and natural gas fueling infrastructure in publicly accessible locations in rural and urban communities, as well as along designated Alternative Fuel Corridors (AFCs). One of the program's goals is to create equitable access to this type of infrastructure, particularly in underserved and disadvantaged communities, using public private partnerships. The IIJA provided \$2.5 billion over five years for the CFI Program.

The CFI program is intended to complement the \$5 billion National Electric Vehicle Infrastructure (NEVI) Formula Program established in Title VIII of the IIJA, under which all states, Puerto Rico and D.C. receive funding allocations annually to build EV charging infrastructure along designated Interstates, U.S. routes and state highways.

Amount and Types of Funding Available

The CFI Discretionary Grant Program will provide \$1.25 billion over five years (fiscal years 2022 through 2026) for each of two competitive grant programs: (1) Community Charging and Fueling Grants ("Community Program") and (2) Alternative Fuel Corridor Grants ("Corridor Program").

The Community Program will provide funding for grants to deploy publicly accessible EV charging infrastructure and alternative fueling infrastructure including hydrogen, propane or natural gas. Eligible projects must be located on a public road or in other publicly accessible locations, such as public schools or parks, parking facilities at public buildings or in parking facilities that are accessible to the public, but are owned or managed by a private entity.

If you have any questions please contact your regular Akin lawyer or adviser or:

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The Corridor Program will provide \$1.25 billion to strategically deploy publicly accessible EV charging infrastructure and hydrogen, propane or natural gas fueling infrastructure along the Alternative Fuel Corridors.

This first round of funding makes up to \$700 million available from fiscal year 2022 and 2023 funds. The IJA requires that each grant category receive 50% of the funding. While eligible applicants must be public entities, eligibility requires collaborative engagement with private stakeholders. The NOFO specifies that the federal government will fund up to 80% of the cost of a project carried out with CFI grant monies. Private entities that contract with grant recipients must agree to cover the balance of the project's costs.

Eligibility

Eligible applicants include:

- States or political subdivision of states
- Metropolitan planning organizations
- Unit of local governments
- Special purpose districts or public authorities with a transportation function, including port authorities
- Indian tribes
- S. territories
- Authorities, agencies or instrumentalities or entities owned by one or more entities listed above
- Group of entities listed above
- State or local authorities with ownership of publicly accessible transportation facilities (applies to Community Program only).

Application Process and Timing

Applications must be submitted electronically through grants.gov no later than 11:59 PM ET on Tuesday, May 30, 2023. Applicants are encouraged to submit applications in advance of the deadline; however, applications will not be evaluated, and awards will not be made, until after the application deadline.

DOT will be hosting two webinars to share further information about the NOFO for the CFI Program. The first webinar will be held on March 21, 2023, at 1:00 PM ET; the second webinar will be held on March 22, 2023, at 2:00 PM ET. Webinars are open to the public and registration is required.

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