

January 24, 2025

Mr. Scott Simmons
Chief, Advanced & Emerging Technology Division
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: PE24-028 – Response to Agency Information Request

Dear Mr. Simmons:

Juicebox (assignment for the benefit of creditors), LLC, in its sole and limited capacity as assignee for the benefit of creditors of Enel X Way USA, LLC (Juicebox ABC) hereby submits information responsive to the October 17, 2024 PE24-028 Information Request issued by the Office of Defects Investigation (ODI), National Highway Traffic Safety Administration (NHTSA), regarding allegations of electrical arcing and thermal events in certain JuiceBox residential Level 2 EV chargers manufactured by Enel X Way USA. Juicebox ABC requested an extension until January 24, 2025, to provide information responsive to NHTSA's Information Request.

Juicebox (assignment for the benefit of creditors), LLC, is a California limited liability company. As explained in our prior conversations, on October 11, 2024, Enel X Way USA, LLC assigned its assets to Juicebox ABC in an assignment for the benefit of creditors under California law, so that Juicebox ABC could sell such assets to an appropriate buyer.¹

¹ See generally [REDACTED]. As part of this procedure, Juicebox ABC established a claims process with a deadline to submit claims ("Bar Date") of April 9, 2025. See <https://www.juiceboxnorthamerica.com/creditor-claim-information/>.

Please note that Juicebox ABC's response contains confidential business information for which Juicebox ABC requests confidential treatment. Juicebox ABC has provided all non-confidential attachments and a redacted version of all documents that contain confidential information along with this response and is submitting a request for confidential treatment pursuant to 49 CFR Part 512 in conjunction with this response.

The information provided in this response reflects Juicebox ABC's best understanding of the data as of this date. Juicebox ABC has made a good faith effort to collect the information necessary to respond to the Information Request and reserves the right to amend and/or supplement this response, as appropriate. Juicebox ABC reserves the right to recapture privileged or otherwise protected or exempted documents that may have been inadvertently produced in response to this Information Request. Any inadvertent production of privileged material is not, and should not be interpreted as, a waiver of any applicable privilege.

In response to this request, Juicebox ABC has conducted reasonable, good faith searches of corporate records available from those departments knowledgeable about the subject matter of this inquiry. However, the definition of "document(s)" in the Information Request is unreasonably broad and ambiguous in the context of the information sought by this Information Request. Juicebox ABC's response to this Information Request was based on good faith searches of locations where documents determined to be responsive to the Information Request would normally be found and in consultation with personnel knowledgeable about the information requested.

Responses to Requests 1-13

- 1. State, by model and batch number, the number of subject devices Enel has manufactured for sale or lease in the United States. Separately, for each subject device manufactured to date by Enel, state the following:**
 - a. Device identification number;**
 - b. Model;**
 - c. Original manufacturing facility;**
 - d. Batch number;**
 - e. Date of manufacture (MM/DD/YYYY);**
 - f. Date warranty coverage commenced (MM/DD/YYYY); and**
 - g. The state in the United States where the device was originally sold or leased, or delivered for sale or lease (postal abbreviation).**

Provide this information in Enclosure 3's pre-formatted Microsoft Excel data collection file, in the sheet entitled "PRODUCTION DATA."

Response to Request No. 1:

The information requested separately for each subject device in Request No. 1 is provided in
PE24-028 – Req. 1 – PRODUCTION DATA

- 2. State the number of each of the following, received by Enel, or of which Enel is otherwise aware, which relate to, or may relate to, the alleged defect in the subject devices:**
- a. Consumer complaints, including those from direct purchasers and individuals or entities purchasing the subject device for residential installation;**
 - b. Reports involving an injury or fatality;**
 - c. Reports involving smoke or fire;**
 - d. Property damage claims;**
 - e. Arbitration or mediation proceedings, both pending and closed, where Enel is or was a party to the arbitration or mediation; and**
 - f. Lawsuits, both pending and closed, in which Enel is or was a defendant or codefendant.**

For subparts “a” through “f” state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same device are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items “c” through “f” provide a summary description of the alleged problem and causal and contributing factors and Enel’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “e” and “f,” identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Response to Request No. 2:

PE24-028 – Juicebox ABC Response to Information Request

Page 5

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. Enel's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Device owner, email address and telephone number;
 - d. Device owner street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
 - e. Device's identification number;
 - f. Device's model, original manufacturing facility, and batch number;
 - g. Device's usage at time of incident in kilowatt-hours (kWh) (numeric data type);
 - h. Subject app version number at time of incident;
 - i. Incident date (MM/DD/YYYY);

PE24-028 – Juicebox ABC Response to Information Request

Page 7

- j. Report or claim date (MM/DD/YYYY);**
- k. Whether smoke or fire was alleged;**
- l. Whether property damage was alleged;**
- m. Number of alleged injuries, if any; and**
- n. Number of alleged fatalities, if any.**

Provide this information in Enclosure 3's pre-formatted Microsoft Excel data collection file, in the sheet entitled "REQUEST NUMBER TWO DATA."

Response to Request No. 3:

The information requested separately for each item (complaint, report, claim, notice, or matter) within the scope of Juicebox ABC's response to Request No. 2 is provided in attachment *PE24-028 – Req. 3 – REQUEST NUMBER TWO DATA*

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Enel used for organizing the documents. Describe in detail the search methods and search criteria used by Enel to identify the items in response to Request No. 2.

Response to Request No. 4:

PE24-028 – Juicebox ABC Response to Information Request

Page 9

PE24-028 – Juicebox ABC Response to Information Request

Page 10

PE24-028 – Juicebox ABC Response to Information Request

Page 11

PE24-028 – Juicebox ABC Response to Information Request

Page 12

PE24-028 – Juicebox ABC Response to Information Request

Page 13

PE24-028 – Juicebox ABC Response to Information Request

Page 14

5. State, by model and batch number, a total count for all of the following categories of claims, collectively, that have been paid by Enel to date that relate to, or may relate to, the alleged defect in the subject devices: claims derived from hotline inquiries, lawsuits, mediation, and arbitration, warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Enel's claim number;
- b. Device owner's name, email address and telephone number;
- c. Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code;
- d. Device identification number;
- e. Repair date (MM/DD/YYYY);
- f. Device usage at time of repair in kilowatt-hour (kWh) (numeric data type);
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- h. Labor operation number(s);
- i. Problem code(s);
- j. Diagnostic trouble code(s);
- k. Subject app version number at time of claim;
- l. Replacement part number(s) and description(s);
- m. Whether seat belt system failure is alleged;
- n. Concern stated by customer;
- o. Cause as stated on the repair order;
- p. Correction as stated on the repair order; and
- q. Additional comments, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Enclosure 3's pre-formatted Microsoft Excel data collection file, in the sheet entitled "WARRANTY DATA."

Response to Request No. 5:

PE24-028 – Juicebox ABC Response to Information Request

Page 16

- 6. Describe in detail the search methods and search criteria used by Enel to identify the claims in response to Request No. 5, including the labor operations, problem codes, diagnostic trouble codes, part numbers and any other pertinent parameters used.**

Response to Request No. 6:

- 7. State, by make and batch number, the terms of the new device warranty coverage offered by Enel on the subject devices (i.e., the number of months for which coverage is provided and the device systems that are covered). Describe any available extended**

warranty coverage option(s) that Enel offered for the subject devices and state by option, model, original manufacturing facility, and batch number, the number of devices that are covered under each such extended warranty.

Response to Request No. 7:

The residential and commercial limited manufacturer's warranty is 3 years from date of first purchase, which must be verified with proof of purchase. See attachment *PE24-028 – Req. 7 – Limited Warranty*. Commercial units could also be covered under an optional extended warranty

- 8. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject devices, that Enel has issued to any retailers, regional or zone offices, field offices, resellers, direct purchasers and individuals or entities purchasing the subject device for residential installation, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Enel is planning to issue within the next 120 days.**

Response to Request No. 8:

- 9. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, “actions”) that relate to, or may relate to, the alleged defect in the subject devices and/or subject apps that have been conducted, are being conducted, are planned, or are being planned by, or for, Enel. For each such action, provide the following information:**
- a. Action title or identifier;**
 - b. The actual or planned start date;**
 - c. The actual or expected end date;**
 - d. Brief summary of the subject and objective of the action;**
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and**
 - f. A brief summary of the findings and/or conclusions resulting from the action.**

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

Response to Request No. 9:

10. Describe all modifications or changes made by, or on behalf of, Enel in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject devices. For each such modification or change, provide the following information:

- a. The date or approximate date on which the modification or change was incorporated into device production;**
- b. A detailed description of the modification or change;**
- c. The reason(s) for the modification or change;**
- d. The part number(s) (service and engineering) of the original component or software;**
- e. The part number(s) (service and engineering) of the modified component or software;**
- f. Whether the original unmodified component or software was withdrawn from production and/or sale, and if so, when;**
- g. When the modified component or software was made available as a service component; and**
- h. Whether the modified component or software can be interchanged with earlier production components.**

Also, provide the above information for any modification or change that Enel is aware of which may be incorporated into device production within the next 120 days.

Response to Request No. 10:

PE24-028 – Juicebox ABC Response to Information Request

Page 21

- 11. Describe, and provide copies of all documents relating to, each of the following regarding all subject components:**
 - a. Detailed descriptions of the system design and operation, including all associated sensor technologies and specifications related to overload and load balancing conditions;**

PE24-028 – Juicebox ABC Response to Information Request

Page 23

- b. List and briefly describe all software diagnostic routines and any associated warnings in the device apps or warning indicators; and**
- c. Subject device installation recommendations relative to other residential demands (e.g., recommended device circuit breaker rating, wiring insulation and separation distance to prevent arcing), device registration and app update process.**

Response to Request No. 11:

PE24-028 – Juicebox ABC Response to Information Request

Page 24

12. Furnish Enel’s assessment of the alleged defect in the subject devices and subject apps, including:

- a. The causal or contributory factor(s);**
- b. The failure mechanism(s);**
- c. The failure mode(s);**
- d. The risk(s) posed to residential properties and occupants inside or outside the vehicle;**
- e. What warnings, if any, the operator and the other persons both inside and outside the vehicle and/or building would have that the alleged defect was occurring, or subject component was malfunctioning; and**
- f. The reports included with this inquiry.**

Response to Request No. 12:

PE24-028 – Juicebox ABC Response to Information Request

Page 26

PE24-028 – Juicebox ABC Response to Information Request

Page 27

PE24-028 – Juicebox ABC Response to Information Request

Page 28

PE24-028 – Juicebox ABC Response to Information Request

Page 29

13. In Enel’s statement regarding its decision “to close its electric mobility business in the US and Canada,” Enel stated, “An experienced third-party firm will be appointed to manage the company’s affairs and ensure that the closure is handled with the utmost care and professionalism. The appointed firm will be responsible for managing the remaining obligations and communicating directly with customers and partners regarding the closure.” Identify that third-party firm, including a point of contact, address, phone number, and email address, and include a copy of any and all agreements between Enel and this firm.

Response to Request No. 13:

As part of the assignment for the benefit of creditors, Enel X Way USA engaged with a third-party firm to manage the sale of the business on October 11, 2024. The firm entered into an agreement to continue to operate the EV charging software in the US and Canada for an extended period. This interim measure enabled the firm to seek a long-term solution for the EV charging platform, with the ultimate goal of maintaining operational continuity for Enel X Way USA customers. While JuiceBox products continue to operate with software connectivity after

PE24-028 – Juicebox ABC Response to Information Request

Page 31

October 11, 2024, the third-party firm has managed claims and communication with stakeholders from October 11, 2024, until the sale of the business in November 2024.

As of November 27, 2024, VoltiE Group Inc. has been engaged to provide a path forward through brand stewardship and end-user support for the Enel X Way North America EV charging network. This transition follows the assignment for the benefit of creditors on October 11, 2024, ensuring continued support for JuiceBox products and the broader EV charging platform. VoltiE Group Inc. is facilitating network ownership to maintain functionality for JuiceBox devices and remains dedicated to supporting the existing JuiceBox product community. Additionally, VoltiE will soon introduce a product and feature roadmap informed by both public feedback and internal innovations.

* * * * *

Please let us know if there are any questions about this submission.

Sincerely,
Jonathan J. Wernick
JuiceBox (assignment for the benefit of creditors), LLC,
in its sole and limited capacity as assignee
for the benefit of creditors of Enel X Way USA, LLC
By: /s/ Jonathan J. Wernick
JONATHAN J. WERNICK, Manager