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To: <Pao@energy.state.ca.us>
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Subject: Letter to Commissioners

Energy Commission
State of California
Public Adviser
1516 Ninth Street
Sacramento, Ca 95814
October 27, 2011
Docket Number, 11-Cal-03

DOCKET

11-CAI-03

DATE Oct.29 2011

RECD. Nov.01 2011

Dear Energy Commissioners:

I received your documents last week regarding your meeting on October 10, 2011.

In the early part of April, 2011 I submitted forms for a 9.6 KW wind generator to be installed on my property for a total fee to me of \$1.00. The installation and the windmills were to be valued at \$28,000. However, there have been a number of problems about the promised program for which I signed up.

Early in the month of April the sign-ups for the program were suddenly stopped and a very short deadline was given. That was the same day as the Commission's decision to stop all further applications. I know that I am not the only applicant that was stunned by this action.

The local administrators of the program had to work all night to get the signed forms to Sacramento on the very short deadline. They use Fed-X to ensure the application would reach there. At that point we as applicants were being told that there would be a six to nine week delay to review the program, then it would start again.

As of that projected date in April it has been six months and we still have not received any response to our forms. The next week in April I called an individual who identified himself as the Commission's secretary. He first told me that there were too many applicants to the program. Then the following week when I called he said that the delay was caused by circumstances concerning different areas of the state having different wind patterns and these different areas needed to be analyzed.

Meanwhile I was in contact with my State Senator Jean Fuller's office. I also contacted my Assemblywoman Connie Conway about my concerns. Since then Senator Fuller's office has frequently contacted the Commission with my concerns. I feel the staff in the State Senator's office have been very fair about continuing their contacts with the Commission. I called the Senator's office yesterday to explain my further concerns about this whole matter. I am sending a copy of this letter to both Senator Fuller and Assemblywoman Conway.

During this period of time after the April cutoff date, in one of the responses to the Senator's staff queries, they were told that I was being put to the head of list of what they said were told were 1800 applicants. (But there are actually 1,086 applicants.) I found this

statement to be patronizing and manipulative as I had never asked to be put first in line. All of the applicants should have equal footing in this program.

Also, the representative to whom I have been speaking at the Commission said that his office had not been contacted by Senator Fuller's office. The staffers at the Senator's office reiterated that they had indeed been in contact with the Commission multiple times.

One of the stipulations of the settlement is that applicants must execute a release agreement that releases all claims against the Energy Commission and KEMA, Inc. But since the applicants are not involved in this law suit as a respondent and should have no part in the negotiations as they are not part of the suit. They should not have to be pulled into any of such mitigating conditions to themselves to end this action. Further, the Energy Commission is a government entity. Under the U.S. Constitution and Section 1 of the California Constitution, citizens have the right-to-redress-of-grievances, and not be required to forfeit their right to claims of wrongs against the government.

In this settlement agreement the Commission is apparently asking to down grade the power output of the windmills from 9.6 KW to 1.6 KW. That is less than 17% of the offered power of windmills originally. This considerably lower output would probably only be suitable to power a vacation travel trailer.

There is also the harsh issue of the Commission's request to reject 631 applicants who may have made errors on their forms. But there is no promise of appeal rights for these rejected applicants. Why should these persons be so penalized for making human errors? The Commission should return their applications and explain the errors and give these Californians a fair timeframe to correct their mistakes.

As an applicant, according to the freedom-of-access-to-public-information, I would like to request the following information:

Where did the grant come from? What was the original amount of the grant? Where are the funds being held and what interest have the funds earned? Have there been court and attorney fees taken out of our grant, especially because of this present litigation? Also, so that we as applicants can contact each other, there should be free access to such contact addresses, on the approval of those willing to be contacted by other applicants.

It is my belief that this program as been badly administered and up to this date it is still not doing anything to generate energy. I believe the benefits of the applicants have not at all been supplied to them. Furthermore, I believe the initial purpose of using wind energy to produce renewable energy for California has been obstructed.

It appears that DyoCore has indicated in its response to the suit that the company is fully willing to work with you to correct the problems named in this law suit. Why not end the litigation and gross demand for changes in what we as applicants were originally promised and get

this program back on track?

It is not just the applicants themselves who would benefit from this program, but there are thousands of others who would also benefit-entire families, rural area residents, the elderly, low income electric customers, farms and businesses that are waiting for these installations.

I live in a high wind area in the California desert. Many continental polar air masses past through here, often at high speeds. These energy-generous air masses can blow for days. I would like to see the speedy start and completion of our wind turbine projects so as not to continue the waste of our renewable energy resource.

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