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Wednesday, December 21, 2011

RE: Deleting the word “non-marine” from the definition of hydroelectric

To the California Energy Commission:

Recently the Commissioners added verbiage to the previous definition of “Hydroelectric” to the “**RENEWABLE ENERGY PROGRAM OVERALL PROGRAM GUIDEBOOK, Staff Draft Guidebook Fourth Edition**” (and I believe it was also incorporated in a previous version.)

The revised definition reads;

“Hydroelectric — a technology that produces electricity by using the kinetic energy of flowing or falling non-marine water to turn a turbine generator. See “small hydroelectric.””

Why was this added to the definition?

How did the Staff justify proposing this new definition?

Is there any body of science that gives reasons for the new definition?

Is there any definition in any dictionary on the planet that includes a “non-marine water” limitation?

BREIF HISTORY OF GENERGY AND THE STAFF OF THE CEC

1. Genergy applied for “pre-certification” as “Small Hydro”
2. Staff turned down the application
3. An appeal was filed
4. A hearing with Commissioners Carla Peterman and Jim Boyd presiding was held where Genergy provided scientific experts that verified that Genergy is hydropower and is a very promising addition to the ERR’s of the RPS
5. The Commissioners put conditions of the Pre-certification that said in essence Genergy must complete the form. But the Commissioners also stated that Genergy technology would not be held to the same “non-marine water” definition.
6. The Commissioners also said that certain conditions that apply to traditional hydroelectric are not relevant to Genergy technology because
 - a. Genergy technology would be in the ocean or submerged in a lake.

- b. Water does not pass through regular turbines resulting in killing fish and other marine or aquatic biology.
 - c. Genergy does not contaminate the water in any way.
 - d. Genergy only uses a portion of the shallow water and then replaces the same water at a deeper level no riparian rights are involved (especially off the coast in the ocean.)
7. Staff refused to grant pre-certification and insisted (against the directive of the Renewables Committee Commissioners) Genergy did have to provide water ownership information and other information that does not apply to our technology.

During the Hearing we were informed that “non-marine water” was added to the definition of hydroelectric.

We would appreciate the word “non-marine” be stricken!

There is no other patent pending or in existence than Genergy that uses “marine” water for hydropower. It appears that the Staff has decided to make sure that thousands of jobs and gigawatts of clean renewable energy do not enter into the RPS mix of technology.

As an avid surfer and lover of nature I find this disturbing! California just passed groundbreaking legislation that assures California will lead in adding renewable clean energy to the grid and ultimately replaces the worst polluters. But now that Genergy has brought a new technology that is viable and scalable the agency STAFF created to make sure that California remains “Green” and that we have affordable clean energy to meet our growing economic and industrial needs puts in onerous regulation to kill the new technology.

The “Responsibilities” of the California Energy Commission are;

The California Energy Commission is the state's primary energy policy and planning agency. Created by the Legislature in 1974 and located in Sacramento, the Commission responsibilities include:

- Forecasting future energy needs and keeping historical energy data.
- Licensing thermal power plants 50 megawatts or larger.
- Promoting energy efficiency by setting the state's appliance and building efficiency standards and working with local government to enforce those standards.
- Supporting public interest energy research that advances energy science and technology through research, development, and demonstration programs.
- Supporting renewable energy by providing market support to existing, new, and emerging renewable technologies; providing incentives for small wind and fuel cell electricity systems; and providing incentives for solar electricity systems in new home construction.

- Developing and implementing the state Alternative and Renewable Fuel and Vehicle Technology Program to reduce the state's petroleum dependency and help attain the state climate change policies.
- Administering more than \$300 million in American Reinvestment and Recovery Act funding through the state energy program, the energy efficiency conservation and block grant program; the energy efficiency appliance rebate program and the energy assurance and emergency program.
- Planning for and directing state response to energy emergencies.

With energy challenges facing the state, the Commission and its dedicated staff of state employees stand ready to turn challenges into opportunities and help Californians continue to have energy choices that are affordable, reliable, diverse, safe, and environmentally acceptable. [EMPHASIS ADDED!]

There is no reasonable explanation I can think of why the Staff would add a stifling regulation change to kill “choices” for Californians.

Can you please explain to me how this fulfills any of the CEC’s “responsibilities?”

California is the most diverse changing culture on the planet!

We lead the world in innovation!

Does adding an unnecessary arbitrary change in a time-tested definition make any sense at all?

I am attaching the link from the Surfrider Foundation Blog (the Premier environmentally friendly advocate for surfers --of which I am one--) that addresses the reasons that Surfrider Foundation is interested in learning more about Genergy technology and seeing how it adapts to the marine ecosystem.

Will you please erase the term “non-marine water” from the definition of “Hydroelectric?”

Sincerely,

Kurt Grossman, Inventor of Genergy, CEO, Genergy LLC

<http://www.surfrider.org/coastal-blog/entry/ocean-energy-interview-with-kurt-grossman-of-genergy>

From: Jennifer Jennings
To: Docket Optical System
Date: 1/19/2012 9:38 AM
Subject: Fwd: Strike NON-MARINE WATER from definition of Hydroelectric
Attachments: Strike Non-Marine Water.pdf; Strike Non-Marine Water.docx; kurtg.vcf

Dockets,
Please docket this e-mail and the attachment in Docket No. 11-RPS-01. Thank you,

Jennifer Jennings
Public Adviser

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>>> Kurt Grossman Corporate <kurtg@generyllc.com> 12/21/2011 8:10 PM >>>
To the CEC;

I believe that we have already recommended eliminating the words
"NON-MARINE WATER" from the definition of "Hydroelectric."

Will you please accept this further appeal and revise the new Renewable
Program Standards Eligibility Guide and Overall Program Guide accordingly?

Thank you very much!

Sincerely,

Kurt Grossman