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Comments on Proposed Changes to SB1 Guidelines
Docket # 07-SB-1
Submitted October 6, 2008
By Infinia Corporation

Thank you for the opportunity to provide comments on the proposed changes to the California Energy Commission's "Guidelines for California's Solar Electric Incentive Programs Pursuant to Senate Bill 1, Second Edition". And thanks to the Energy Commission staff who worked with Infinia to solicit input, and provide feedback during the drafting of the proposed Guidelines.

Infinia Corporation is a US company based in Kennewick, Washington producing a 3kWac solar electric system, the Infinia Solar System (ISS). Infinia plans to implement commercial shipments in January 2009, and is expanding its Kennewick, WA manufacturing center and its L.A.-based U.S. sales and service center to ensure a successful launch.

SB1 proposed an incentive program for Solar Electric Systems. Although the Photovoltaic (PV) solar electric technology is closely identified with SB1 and much work has been done to bring that technology into the California Solar Incentive (CSI) program, SB1 did not propose a "PV Incentive Program". Rather, the Senate Bill recognized that other solar electric technologies could make significant contributions to achieving the Solar Program goals outlined in SB1. Thank-you for revising the language throughout the Guidelines that refers to the solar electric technologies that are not PV. "Other Solar Electric Generating Technologies" is an important correction and improvement.

Infinia's remaining comments refer to language in Chapter 3. In the section titled "Other Solar Electric Generating Technologies", we agree with the Commission that INITIALLY limiting eligibility of "Other Solar Electric Generating Technologies" to performance-based incentives (PBI) is appropriate. There will certainly be several new solar electric technologies coming into the program for which the PV-based requirements will not be applicable. Allowing these technologies to participate in the PBI program will enable them to participate in the CSI program on a pay-for-performance basis and to contribute towards the achievement of California's objectives as stated in SB1.

However, as noted in the footnotes, future revisions of these Guidelines should certainly allow "Other Solar Electric Generating Technologies" to participate in the expected performance-based incentives (EPBI) program. When 3rd party performance testing and other evaluations of a given technology are sufficiently advanced to be able to adequately predict "expected performance" of that technology for purposes of the EPBI program, the technology should be allowed to participate.

An additional comment refers a provision on page 13 that requires that “All new test protocols must be approved by the Energy Commission”. If left unchanged, this provision would insert the Commission into the actual test protocol development and approval process. Infinia believes this to be inappropriate because a) the provision as stated, directly conflicts with the preceding language which correctly places the responsibility for developing any new testing protocols on the NRTL: “Determination of applicability of existing standards and development of new test protocols must be performed by a NRTL”, and b) the testing protocols will, by their nature, be of sufficient technical complexity that the Commission and its technical staff cannot be expected to have or develop on a timely basis sufficient technical expertise to make informed judgments regarding approvals of specific testing protocols. In the case of a), the NRTL and the manufacturer should develop any new “protocols” that the NRTL determines to be required to adequately test a piece of hardware for its compliance with given safety standard(s). In the case of b), to the extent the Commission desires that its staff remains on top of or otherwise be aware of any new testing protocols, then the reference language should be, “All new test protocols developed by the NRTL must be submitted by the manufacturer to the Energy Commission.” This should be sufficient to ensure that the appropriate technical expertise is brought to bear on the development and review of the testing protocol for a given piece of new hardware, while ensuring the Commission is kept informed of the development of same. Any questions that the Commission’s staff may have regarding a given test protocol can be addressed by the NRTL and the manufacturer whenever the questions arise. And to the extent that the staff has no questions, then under the proposed approach, it does not need to take any action.

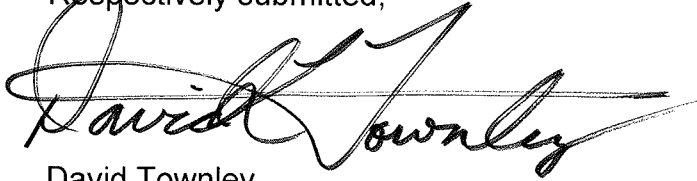
Infinia’s final comment has to do with the Inverter section of Chapter 3. Infinia’s product includes a set of power electronics that include an integrated inverter. Our product, including the power electronics with its integrated inverter, will be fully certified to UL1741 and to other UL standards. The power electronics and the inverter function as a package and are designed to only operate as a component in the complete Infinia product. The inverter is not designed nor intended to be sold, installed or used separately from the Infinia product.

Unfortunately, as currently written, the Inverter section of Chapter 3 would require Infinia to seek separate certification of the inverter. This separate certification is unnecessary and would be expensive and time consuming. For these reasons and to eliminate any confusion, Infinia suggests adding an opening sentence to the Inverter section that clarifies the applicability of this section. An example would be, “Any product or system that is tested and certified as a system is exempted from the requirements of the section, which explicitly applies only to Inverters not integrated into a solar electric generating system where the whole integrated system is tested and certified as a system.” Inverters that are integrated into broader systems that are certified as a system and that are not intended to be sold to the public as a separate component or product should NOT require separate certification. The Guidelines already require that the “Eligible products

are required to provide full safety certification with follow-up services or Listing from a nationally Recognized Testing Laboratory (NRTL).” There is no value in testing the inverter separately from the larger system of which it is an integral part.

Thank-you for the opportunity to provide these comments.

Respectively submitted,

A handwritten signature in black ink that reads "David Townley". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

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