



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

DOCKET

11-CAI-03

DATE Sept 12 2011

RECD. Sept 14 2011

**IN THE MATTER OF THE COMPLAINT AGAINST
DYOCORE, INC. BROUGHT BY
ENERGY COMMISSION STAFF**

Docket No. 11-CAI-03

NOTICE OF CANCELLATION OF PREHEARING CONFERENCE

PLEASE TAKE NOTICE that the Committee designated to conduct proceedings on the Complaint against DyoCore, Inc. brought by Energy Commission staff has **CANCELLED** the Prehearing Conference scheduled for Monday, September 19, 2011.

All filing requirements set forth in the Notice of Prehearing Conference dated August 31, 2011 and the Order Granting Staff's Request for an extension of time to file assessment of answer are also cancelled. The Committee will re-schedule the Prehearing Conference shortly and will issue a new Notice of Prehearing Conference. The new Notice will establish a schedule for the filing of Prehearing Conference Statements and Staff's Assessment of the Answer to the Complaint.

On Friday, September 9, 2011, Complainant Energy Commission Staff filed an Amended Complaint. Energy Commission regulations require that the Amended Complaint be served upon the Respondent, interested persons, and persons who could be affected by the relief sought. In order to comply with this regulation, effect proper service, and give adequate notice of the prehearing conference, it was necessary to cancel the September 19, 2011 prehearing conference.

Energy Commission Information

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail: **[mediaoffice@energy.state.ca.us]**.

Questions of a legal or procedural nature should be directed to Raoul Renaud, the Hearing Officer, at (916) 651-2020 or e-mail: **[rrenaud@energy.state.ca.us]**.

Information concerning the status of the proceeding, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet web page at: **[http://www.energy.ca.gov/renewables/emerging_renewables/11-cai-03/]**.

Dated: September 12, 2011, at Sacramento, California.

Original signed by:

Raoul Renaud, Hearing Officer
DyoCore Complaint Committee

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



TO: All Parties

Date: September 12, 2011

RE: IN THE MATTER OF THE
COMPLAINT AGAINST DYOCORE, INC.
BROUGHT BY ENERGY COMMISSION STAFF

Proof of Service List
Docket No. (11-CAI-03)

Attached is the **newly revised** Proof of Service List for the above-mentioned project, current as of September 12, 2011. Please pay particular attention to the **new** filing instructions.

Energy Commission regulations (Cal. Code Regs., tit. 20, § 1210) require, in addition to any electronic service, that a paper copy be served in person or by first class mail except where a party requests to receive an electronic copy when one is available. Individuals and groups on the Proof of Service list who prefer to receive filings by e-mail and do not require a paper copy shall inform the Hearing Officer assigned to the proceeding.

The Proof of Service list for this matter will delineate those individuals and groups and it is sufficient to serve those individuals with an e-mailed copy only. Those not so delineated must be served with a paper copy in addition to any e-mailed copy that the filing party chooses to provide. Signatures may be indicated on the electronic copy by "**Original Signed By**" or similar words. The original signed copy shall be filed with the Energy Commission's Dockets Unit.

Unless otherwise specified in a regulation, all materials filed with the Commission must also be filed with the Docket Unit. (Cal. Code Regs., tit. 20, § 1209(d).) Some regulations require filing with the Commission's Chief Counsel instead of the Docket Unit. For example, Section 1720 requires a petition for reconsideration to be filed with the Chief Counsel and served on the parties. Service on the attorney representing Commission staff does not satisfy this requirement. This Proof of Service form is not appropriate for use when filing a document with the Chief Counsel under Title 20, sections 1231 (Complaint and Request for Investigation) or 2506 (Petition for

Inspection or Copying of Confidential Records). The Public Advisor can answer any questions related to filing under these sections.

New addition(s) to the Proof of Service are indicated in **bold font** and marked with an asterisk (*). Additionally, if two or more persons are listed on a Proof of Service List with a single address, only one physical copy of a document need be mailed to the address.

Use this newly revised list for all future filings and submittals. This Proof of Service List will also be available on the Commission's Project Web Site at:

[http://www.energy.ca.gov/renewables/emerging_renewables/11-cai-03/]

Please review the information and contact me at mread@energy.state.ca.us, or (916) 654-3893, if you would like to be removed from the Proof of Service or if there are any changes to your contact information.

Original signed by:
Maggie Read
Hearing Adviser's Office

Attachment



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

***IN THE MATTER OF THE COMPLAINT AGAINST
DYOCore, INC. BROUGHT BY
ENERGY COMMISSION STAFF***

***Docket No. 11-CAI-03
(Revised 9/12/2011)***

COMPLAINANT

California Energy Commission
Robert P. Oglesby
Executive Director
1516 Ninth Street
Sacramento, CA 95814
e-mail service preferred
roglesby@energy.state.ca.us

California Energy Commission
Payam Narvand
Program Manager
1516 Ninth Street
Sacramento, CA 95814
e-mail service preferred
pnarvand@energy.state.ca.us

COUNSEL FOR COMPLAINANT

California Energy Commission
Gabe Herrera
Senior Staff Counsel
1516 Ninth Street
Sacramento, CA 95814
e-mail service preferred
gherrera@energy.state.ca.us

California Energy Commission
Jonathan Knapp
Staff Counsel
1516 Ninth Street
Sacramento, CA 95814
e-mail service preferred
jknapp@energy.state.ca.us

RESPONDENT

DyoCore, Inc.
Ralph Bettencourt, CEO
David Raine, CTO
3125 Tiger run Court, #104
Carlsbad, CA 92010
ralph@dyocore.com
dave@dyocore.com

INTERVENORS

Solar Point Resources Inc.
Jane E. Luckhardt
Stephen J. Meyer
Downey Brand, LLP
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com
smeyer@downeybrand.com

**INTERESTED
ENTITIES/AGENCIES**

Bay Area Energy Solutions
1326 Marsten Road
Burlingame, CA 94010
www.bayenergy.com

California Solar Systems
1411 Rusch Court
Santa Rosa, CA 95401
barryw@855casolar.com

*Synergy Corp.
863 N Bush Avenue
Clovis, CA 93611
marlin.magic@sbcglobal.net

Crizer Wind Energy, Inc.
1191 4th Street
Los Osos, CA 93402
crizerwindenergy@sbcglobal.net

My Wind Power
4037 Phelan Road, A267
Phelan, CA 92371
www.info@mywindpower.biz

Solar Point Resources
P.O. Box 4761
San Jose, CA 95150

Energy Pros
2235 Solitude Court
Rocklin, CA 95765
brian@energyproslc.com

Wind Solar Solutions
420 Avalon Street
Morro Bay, CA 93442
corky@windandsolarsolutions.com

CA Green Team
720 North China Lake Boulevard
Ridgecrest, CA 93555
tammy@cagreenteam.com
rayw@cagreenteam.com

Prevailing Wind Power
324 N Gertruda
Redondo Beach, CA 90277
bob@prevailingwindpower.com

**INTERESTED ENTITIES/AGENCIES
(cont.)**

Green Solar Solutions, Inc.
22267 Vacation Dr.
Canyon Lakes, CA 92587
greensolarsolutions@yahoo.com

Desert Power, Inc.
77380 Michigan Dr.
Palm Desert, CA 92211

San Diego Small Wind
3125 Tiger Run Ct. #103
San Marcos, CA 92009

Apple Acres, Inc. DBA Gridnot
P.O. Box 645
Lucerne Valley, CA 92356
info@gridnot.com

**ENERGY COMMISSION –
DECISIONMAKERS**

Carla Peterman
Commissioner and Presiding
Member
CP.eterma@energy.state.ca.us

James D. Boyd
Vice Chair and Associate Member
jboyd@energy.state.ca.us

Raoul Renaud
Hearing Officer
rrenaud@energy.state.ca.us

**ENERGY COMMISSION -
CHIEF COUNSEL**

Jennifer Martin-Gallardo
Staff Counsel
e-mail service preferred
jmarting@energy.state.ca.us

**ENERGY COMMISSION -
PUBLIC ADVISER**

Jennifer Jennings
Public Adviser
e-mail service preferred
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Maggie Read, declare that on September 13, 2011, I served and filed copies of the attached Notice of Prehearing Conference Cancellation, All Parties Letter and Revised Proof of Service List, dated September 12, 2011. The original document, filed with the Docket Unit or the Chief Counsel, as required by the applicable regulation, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [\[http://www.energy.ca.gov/renewables/emerging_renewables/11-cai-03/\]](http://www.energy.ca.gov/renewables/emerging_renewables/11-cai-03/).

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- ☐ Served electronically to all e-mail addresses on the Proof of Service list;
- ☒ Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "e-mail service preferred."

AND

For filing with the Docket Unit at the Energy Commission:

- ☒ by sending an original paper copy and one electronic copy, mailed with the U.S. Postal Service with first class postage thereon fully prepaid and e-mailed respectively, to the address below (preferred method); **OR**
- ☐ by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT

Attn: Docket No. 11-CAI-03
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- ☐ Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
mlevy@energy.state.ca.us

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original signed by: _____
Maggie Read
Hearing Adviser's Office