



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

DOCKET

11-CAI-03

DATE Sept 16 2011

RECD. Sept 16 2011

COMMITTEE ORDER GRANTING ENERGY COMMISSION STAFF'S REQUEST
FOR LEAVE TO FILE AMENDED COMPLAINT

On September 9, 2011, Complainant Energy Commission Staff filed a request for leave to file an amendment to the Complaint. The amendment removes allegations that could have been interpreted to mean that Staff intended to pursue recovery of rebates from consumers, and adds language stating that Energy Commission staff are not seeking to recover rebate payments from consumers for small wind systems that use DyoCore turbines.

The Committee finds that good cause for Staff's request has been shown and **ORDERS** that Staff's request be **GRANTED**. Staff is hereby **DIRECTED** to effect service of the Amended Complaint pursuant to Title 20, section 1232 (a)(2). The Committee will provide a cover letter to accompany service upon affected persons as described in section 1231 (b)(7).

The Committee further finds that the amendments do not affect the allegations against the Respondent. Respondent DyoCore, Inc. is therefore not required to file a new answer to the complaint, but may do so if it wishes to do so.

Dated: September 16, 2011, in Sacramento, California.

CARLA PETERMAN
Commissioner and Presiding Member
Dyocore Complaint Committee

JAMES D. BOYD
Vice Chair and Associate Member
Dyocore Complaint Committee



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DYOCore, INC. BROUGHT BY
ENERGY COMMISSION STAFF***

***Docket No. 11-CAI-03
(Revised 9/16/2011)***

COMPLAINANT

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California Energy Commission
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RESPONDENT

DyoCore, Inc.
Ralph Bettencourt, CEO
David Raine, CTO
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INTERVENORS

Solar Point Resources Inc.
Jane E. Luckhardt
Stephen J. Meyer
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621 Capitol Mall, 18th Floor
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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@sbcbglobal.net

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

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

Energy Pros
2235 Solitude Court
Rocklin, CA 95765
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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.)**

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**

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DECLARATION OF SERVICE

I, Maggie Read, declare that on September 16, 2011, I served and filed copies of the attached Committee Order Granting Energy Commission Staff's Request for Leave to File Amended Complaint, All Parties Letter and Revised Proof of Service list, dated September 16, 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/].

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