



**BEFORE THE ENERGY RESOURCES CONSERVATION AND
DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA**

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

DOCKET NO.: 11-CAI-03

DATED: OCTOBER 4, 2011

**ENERGY COMMISSION STAFF'S
PREHEARING CONFERENCE STATEMENT
WITNESS LIST**

DOCKET

11-CAI-03

DATE OCT 04 2011

RECD. OCT 04 2011

Richard Polich

Senior Line Leader - Renewable Energy at KEMA, Inc.

Mr. Polich will provide testimony regarding two reports created by KEMA, Inc. ("KEMA"): that evaluate performance claims made by DyoCore, Inc. ("DyoCore") regarding the DyoCore SolAir wind turbine ("DyoCore turbine"): (1) the July 25, 2011 report referenced in staff's complaint against DyoCore ("KEMA Report"), which is referenced in this proceeding as Exhibit D of the Complaint, which is Exhibit 1 of Complainant's exhibits; and, (2) and testimony dated October 4, 2011 that presents supplemental analysis regarding the data supplied by DyoCore, referenced in this proceeding as Exhibit 91.

Mr. Polich's testimony will include:

- KEMA's analysis of the data submitted by DyoCore for the purposes of listing the DyoCore turbine
 - Explanation of the methodology and theories relied upon in the analysis
 - Explanation of the conclusions reached in the analysis regarding DyoCore's power curve, power rating, and annual energy production claims

Case van Dam

Mr. van Dam is a professor of Mechanical and Aerospace Engineering at the University of California Davis, as well as the director of the California Wind Energy Collaborative.

Mr. van Dam's testimony will include:

- Established testing and measuring methodologies for the performance of small wind turbines
- Available standards for performance testing of small wind turbines

- Providing analysis of data submitted by DyoCore to the Energy Commission for the purposes of receiving listing of their turbine

Trudy Forsyth

Ms. Forsyth is an employee of the Alliance for Sustainable Energy, LLC (the managing and operating contractor for the National Renewable Energy Laboratory under Department of Energy Contract Number DE-AC36-08GO28308). Ms. Forsyth's ability to testify is subject to further Department of Energy program approval. If it is ultimately determined that Ms. Forsyth will not provide testimony in this proceeding, then the Energy Commission will revise the witness list accordingly.

Ms. Forsyth's testimony will include:

- History of standards and certification for small wind turbines
- Presence of valid, and widely-accepted, methods for testing and collecting data for small wind turbines during the relevant time period, from approximately 2009-2010

Michael Klemen

Mr. Klemen is a current Small Wind Certification Council (SWCC) Certification Commissioner. Mr. Klemen will appear in his individual capacity and will not be representing the SWCC.

Mr. Klemen's testimony will include:

- Analysis of publicly available documents from DyoCore that purport to show performance testing results and methodologies followed



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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 9/16/2011)***

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DECLARATION OF SERVICE

I, **Rhea Moyer**, declare that on **October 4, 2011**, I served and filed copies of the attached **Energy Commission Staff's Prehearing Conference Statement Witness List**, dated **October 4, 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

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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:

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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.

/s/ Rhea Moyer