

STAMENT FROM:  
DYO CORE INC  
663 SO. RANCHO SANTA FE. #610  
SAN MARCOS, CA 92078

<b>DOCKET</b>
<b>11-CAI-03</b>
DATE _____
RECD. <u>Nov. 01 2011</u>

## DYOCORES November 2<sup>nd</sup> Meeting STATEMENT

Carla Peterman  
Commissioner and Presiding Member  
[CPeterman@energy.state.ca.us](mailto:CPeterman@energy.state.ca.us)

James D. Boyd  
Vice Chair and Associate Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

Dear Committee Members:

My comments pertaining the public meeting to be held on Nov 2<sup>nd</sup> 2011 regarding items "DyoCore Complaint" and "ERP reinstatement"

### 1. DyoCore Complaint

#### Inaccurate Data

DyoCore did not indicate that submitted data was inaccurate at the time of submission to KEMA. DyoCore stated that it was later determined that the data was possibly inaccurate as it was reviewed and posted by KEMA.

#### R1 Reservations

DyoCore has been contacted by several clients that have installed systems based on correspondence with the CEC indicating that the CEC had full intentions of honoring the R1's. DyoCore staff has also directly corresponded with the CEC and received the same information. Based on these conversations clients went ahead and installed systems holding valid R1's. The CEC made very specific representations before and during the term of the ERP suspension that it would honor completed R1 applications to DyoCore, its distributors and customers. All valid and complete R1's should be honored and paid if a system has been purchased.

#### Prosecution and Sentencing of DyoCore

It was noted that DyoCore was not to be prosecuted without a finding guilt. The following two items directly contradict that statement and demonstrate the prosecution of DyoCore without trial.

- a. Honor R1's for 120 days. This time period is restricting and discriminates against DyoCore. It will take DyoCore approximately this time frame or longer to meet the new standards. This directly affects clients that want a DyoCore SolAir system installed and does not provide ample time for DyoCore to relist and clients to include DyoCore as their preferred equipment.
- b. DyoCore does not profit. This statement as well directly violates DyoCore's rights as a product manufacturer. It is expected that DyoCore support and warrantee all product sold. How can a company provide any support when it cannot be paid for that product it sells? This further alleges that DyoCore has committed a crime and was found guilty by indicating that DyoCore's services and support are not valid in value and demand within the market. A majority of DyoCore's calls from CA residents is in question of when and how soon they can install their SolAir product and how will they get support. The company has let go all employees and cannot bring them back to provide support to hundreds of CA home and business owners directly relating to this discriminatory and sentencing statement.

It is DyoCore's contention that if the Committee has passed sentence on DyoCore without trial. DyoCore does not agree to the terms of the resolution as stated.

### 2. ERP Reinstatement

SWCC required for certification. Cost of this process restricts and discriminates against small businesses and should be withdrawn as an applicable requirement. It directly prevents participation of actual Emerging technologies and has no actual bearing on product energy production as it is applied to an install site, its quality or the manufacturer's ability to support a product through its warranty.

It will cost a small company approximately \$100,000 in just consulting and certification fees to obtain SWCC certification. This does not include hundreds of employee man hours, facility implementation costs and ongoing audits estimated at another \$25,000 annually to maintain compliance. Just the SWCC fee alone is approximately \$10,000 to review the data. Estimated costs are;

Field power curve test;	\$	25,000
Performance/Safety/Quality to IEC 61400-12-1 (-2);	\$	18,000
Acoustic Noise, IEC 61400-11 ed.2 ;	\$	12,000
Engineering, IEC 61400-2 ed.2;	\$	9,000
Facility Audit setup;	\$	8,000
Annual (Quarterly) Audits;	\$	4,500
Internal process management;	\$	20,000
SWCC Review	\$	10,000
<b>Year 1 costs to meet SWCC standards:</b>		<b>\$ 106,500</b>

This combined with the history of incentives paid correlated with the proposed reduction in incentive amounts, and the current market, will mean that 99% of current listed manufacturers will never met the costs associated with involvement in this program.

The program is title "Emerging Renewables". These costs are direct barriers to any actual "Emerging Renewable" product to ever qualify for certification. If the intention of the program is only to permit fortune 500 companies to participate then it should be renamed the "Anything but Emerging Renewables Program" to reflect its intentions.

The program catered to 2 primary companies prior to DyoCore's involvement, 87% of all incentive awards were paid out directly to these two companies. DyoCore opened the doors for greater participation and a higher quality of product within the market. Changes being considered put the program back into the hands of just 2 companies. Is the intention of the program to only have 2 applicable products and discriminate against all others?

Thank you for your time and consideration in reviewing my comments.

Respectfully submitted by,

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