

## CALIFORNIA ENERGY COMMISSION

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

**DOCKET****11-CAI-03**

DATE NOV 04 2011

RECD. NOV 04 2011



November 4, 2011

Re: Complaint Against Manufacturer of DyoCore Wind Turbines

Dear DyoCore Wind Turbine Rebate Applicant:

On November 2, 2011, at its regularly-scheduled business meeting, the Energy Commission considered the DyoCore Complaint Committee's Recommendation regarding this case. After considering the Committee Recommendation, and the comments submitted both orally and in writing by the parties and the public, the Energy Commission voted unanimously in favor of resolving the case as set forth in the Commission Adoption Order, which is enclosed.

**Please pay particular attention to sections A, B and C of the Order. These sections explain how the pending R1 and R2 rebate applications will be handled.**

Should you have any questions or concerns about the Commission Order, please contact either Energy Commission staff or the Energy Commission Public Adviser. Energy Commission staff are available at (916) 654-5127 during regular business hours, or at [renewable@energy.state.ca.us](mailto:renewable@energy.state.ca.us). The Public Adviser can be contacted either by telephone at 1-800-822-6228, or e-mail at [publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us).

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Raoul A. Renaud'.

Raoul A. Renaud  
Hearing Officer  
[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)  
(916) 651-2020

Enclosure



**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 10/5/2011)***

**COMPLAINANT**

California Energy Commission  
Robert P. Oglesby  
Executive Director  
1516 Ninth Street  
Sacramento, CA 95814  
*e-mail service preferred*  
[roglesby@energy.state.ca.us](mailto: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](mailto: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](mailto: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](mailto: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](mailto:ralph@dyocore.com)  
[dave@dyocore.com](mailto: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](mailto:jluckhardt@downeybrand.com)  
[smeyer@downeybrand.com](mailto:smeyer@downeybrand.com)

\*Energy Pros  
Shad Derifield  
Brian Pierce, Jr.  
c/o Robert F. Kane  
Law Offices of Robert F. Kane  
870 Market Street, Suite 1128  
San Francisco, CA 94012  
[rkane1089@aol.com](mailto:rkane1089@aol.com)

**INTERESTED  
ENTITIES/AGENCIES**

Bay Area Energy Solutions  
1326 Marsten Road  
Burlingame, CA 94010  
[www.bayenergy.com](http://www.bayenergy.com)

California Solar Systems  
1411 Rusch Court  
Santa Rosa, CA 95401  
[barryw@855casolar.com](mailto:barryw@855casolar.com)

Synergy Corp.  
863 N Bush Avenue  
Clovis, CA 93611  
[marlin.magic@sbcglobal.net](mailto:marlin.magic@sbcglobal.net)

Crizer Wind Energy, Inc.  
1191 4<sup>th</sup> Street  
Los Osos, CA 93402  
[crizerwindenergy@sbcglobal.net](mailto:crizerwindenergy@sbcglobal.net)

My Wind Power  
4037 Phelan Road, A267  
Phelan, CA 92371  
[www.info@mywindpower.biz](http://www.info@mywindpower.biz)

Wind Solar Solutions  
420 Avalon Street  
Morro Bay, CA 93442  
[corky@windandsolarsolutions.com](mailto:corky@windandsolarsolutions.com)

CA Green Team  
720 North China Lake Boulevard  
Ridgecrest, CA 93555  
[tammy@cagreenteam.com](mailto:tammy@cagreenteam.com)  
[rayw@cagreenteam.com](mailto:rayw@cagreenteam.com)

Prevailing Wind Power  
324 N Gertruda  
Redondo Beach, CA 90277  
[bob@prevailingwindpower.com](mailto: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](mailto:info@gridnot.com)

**ENERGY COMMISSION –  
DECISIONMAKERS**

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

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

Raoul Renaud  
Hearing Officer  
[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)

**ENERGY COMMISSION -  
CHIEF COUNSEL**

Jennifer Martin-Gallardo  
Staff Counsel  
*e-mail service preferred*  
[jmarting@energy.state.ca.us](mailto:jmarting@energy.state.ca.us)

**ENERGY COMMISSION -  
PUBLIC ADVISER**

Jennifer Jennings  
Public Adviser  
*e-mail service preferred*  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

### DECLARATION OF SERVICE

I, Maggie Read, declare that on November 4, 2011, I served and filed copies of the attached letter to DyoCore Wind Turbine Rebate Applicant from Hearing Officer, Raoul Renaud, dated November 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/](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](mailto: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](mailto: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