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Friday, February 24, 2012

RE: Docket No. 11-KGA-1 Request for Clarification



To The California Energy Commission;

On August 26, 2010, I submitted an application for Pre-certification; On October 18, 2010 the Staff denied the application; On November 18, 2010 I appealed; I appeared in front of the Renewables Committee in March 2011; and on April 25, 2011 a decision was granted by the Commissioners reversing the Staff decision.

I am appalled and perplexed at the CEC Staff!

The "Overall Program Guidebook" states that the laws have a "goal"; "The goal of these laws is to establish a competitive, self-sustaining renewable energy supply for California while increasing the near-term quantity of renewable energy generated within the state."

The CEC has a goal of replacing fossil fuel energy as with renewable energy and the CEC Overall Program Guidebook has the goal of "...increasing the near-term quantity..." but the Staff has taken such a narrow position and they have continued to deny the decision of The Commissioners.

While gasoline prices skyrocket and tremendous political pressure is applied to "expand oil drilling" the Staff of the agency charged with administering the most aggressive transfer to renewable energy of any state in the United States does everything in its power to stop a new environmentally beneficial inexpensive reliable renewable energy technology from entering the marketplace.

I have been trying to get my precertification from staff ever since the Renewables Committee's April 25, 2011 decision. The Committee decision recognized that, for the first time during the hearing, staff cited deficiencies in my responses to six questions in the application.

The Committee granted precertification subject to the six responses in my application being completed. Staff did not appeal the Committee's decision within 15 days in accordance with the Guidebook, but has instead ignored the Committee's decision for the past ten months.

Now, staff has filed a "request for clarification" that is really an appeal of the Committee's decision. As I have been asking for months to meet with staff, I will meet with them on March 13 to discuss the six responses noted in the Committee's decision. It is my sincere hope that staff and I can resolve the issue on the March 13. If we cannot resolve the matter, I will support the appointment of a Committee on March 14 if that Committee has the charge of enforcing the April 25 Committee decision.

I will oppose the appointment of a Committee on March 14 if its charge is to consider staff's "request" and open up an opportunity to nullify or modify the decision that clearly recognized Genergy as "hydro" or to remove the footnote that said that future applications of Genergy technology would fall under the previous definitions when the Renewables Committee recognized Genergy technology as an RPS eligible facility.

The staff had 15 days under the Guidebook to appeal the Committee's decision and staff did not. I am certain that if I were the appealing party, I would be held to the requirement to appeal within fifteen days. Again, it is my sincere hope that I will finally be able to resolve the remaining issues with RPS staff on March 13.

Sincerely,

A handwritten signature in blue ink that reads "Kurt Grossman". The signature is written in a cursive, flowing style.

Kurt Grossman, Inventor/Applicant, CEO Genergy LLC