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OPEN MEETING AGENDA ITEM

E-0134SA09-0338

From: Will Kernan [willkernan5@yahoo.com]  
 Sent: Monday, April 05, 2010 11:57 AM  
 Cc: Newman-Web; Newman-Web; Pierce-Web; Pierce-Web; Mayes-Web Email; Kennedy-Web; Kennedy-Web; Stump-Web; Stump-Web  
 Subject: APS proposed solar incentive reduction

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Thank you for taking the time to read my e-mail. I am building a passive solar house near Prescott, I was planing to install solar photovoltaics to achieve net zero and had received bids and worked out the financing. Right before I submitted an application for the APS rebate I was informed of their decision to request that the rebate be lowered from \$3.00 to \$2.15 a watt retroactively to March 31. I am not opposed to the rebates being lowered as solar becomes cheaper, however this is a decision to be made by the Corporation Commission, not APS. By requesting the rebate lowering be retroactive APS has already in practice lowered the rebate. No solar installer I have talked to will sign a contract contingent upon the rebate staying at \$3.00 a watt. I cannot afford the system at the lower rebate and therefore I can't proceed with solar until this issue is resolved. More importantly, If the Commission approves the APS request they will be violating the U.S.

constitution, Article 1 section 9 "No Bill of Attainder or ex post facto Law shall be passed." So please, as soon as possible issue a statement that laws will not be passed retroactively, and if you do decide to lower the incentive amount it would be nice to give at least one month notice as solar systems require at lot of planning and financial preparations.

Respectfully, William Kernan  
[willkernan5@yahoo.com](mailto:willkernan5@yahoo.com)

Arizona Corporation Commission  
**DOCKETED**

APR - 7 2010

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