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Docket Control
Arizona Corporation Commission
1200 W Washington Street
Phoenix, Arizona. 85007

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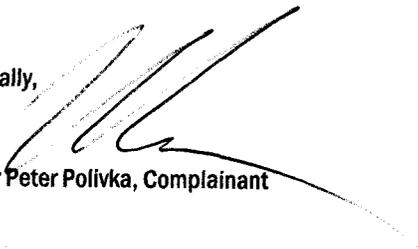
DOCKETED BY 

RE: Docket No. E-01933A-10-0340
Viktor Peter Polivka v Tucson Electric Power Company

Attached please find a response sent to Docket Control to file in the case referencing Tucson Electric Power Company, regarding this complaint.

If you have any questions, please call 520-303-7966

Cordially,


Viktor Peter Polivka, Complainant

VIKTOR PETER POLIVKA

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2011 FEB 22 A 9:15

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Thursday, February 17, 2011

CORP COMMISSION
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Docket Control
Arizona Corporation Commission
1200 SW. Washington Street
Phoenix, Arizona 85007

RE: Docket No. E-01933A-10-0340

Ref: Documents supplied with respondents, exhibit s No.1 ,No.2 in Motion in Limine

I Viktor Peter Polivka, Complainant took the liberty to sharpen my pencil and analyze the anonymous TEP customer On-Grid Solar Electric Application he/she submitted for incentive payment for the TEP SunShare Program. Apparently the customer was "demonstrated" the TEP Xantrex 4548 Hybrid Inverter, w/48Vdc battery bank (the same TEP uses for demonstration of Solar Energy, which is not the "ideal voltage" commonly used" for the chosen BP PV's model, since the PV's are not capable to "equalize" the batteries at Arizona high Summer temperatures due to it's low voltage capability to optimize battery life. Thus he/she chose to use the model for his/her home Solar System Installation as 'recommended" by installer or TEP demonstration!?.

This system was then installed by Solar Depot on 08/11/2009, a TEP approved/licensed/recommended installer. phone (520)-256-0306 (Melisa), and the required City Permit, . Apparently, at first the customer has hopping to "qualify" for a Grid-Tie incentive as indicated on the application later downgraded to a Off -Grid approval by TEP on the "battery on DC side excuse". The final total "incentive paid out was only \$6,040.00 , which apparently did not even cover his "installation cost" the installer received to cover his price of \$7,000.00!..

Now the plot unravels: Total cost of the system was \$25,750.00 and incentive only \$6,080.00!

The rebate calculation on the form for Grid -Tie was: 3,04kW x \$3,00 per W = \$9,120.00
Installation 3,04kW x\$3,00x70%= \$6,384.00
Total incentive is as per application= \$15,504.00
Actual TEP incentive to be paid = \$ 6,080.00
Customer "shorted" by TEP \$ 9,424.00

However, now the "story" changes. Due to "the sudden consideration" after the "money was paid out, of the batteries on the DC side, the customer is DENIED after installation Grid-Tie approval, convinced his only choice was to accept Off-Grid (something is better than nothing)!....

The rebate calculation now is for a Off-Grid was; 3,04kW x \$2.00 per W= \$6,080.00
Cost of installation (due, not calculated, by TEP) 3,04 kW x \$2.00x 70% = \$4,266.00
Total incentive is as per application=\$10,346.00
Actual TEP incentive paid to customer was \$6,080.00
Customer "shorted" by TEP \$4,266.00

Note: However, no installation cost/allowance was even considered on the off -grid incentive, TEP paid \$0, the full incentive was only for \$6,080.00. Thus the total "scam" cost customer \$8,532.00 for the battery back up system .The loss is \$8,532.00 for Off -Grid and /or \$9,424.00 for Grid - Tie

Although the "shortage" is a bit smaller in the Off-grid proposal, never the less, the "scam" is on. Here we have a customer who decided to Go Green, he spend \$25,750.00, so his/her option was to take what ever was available to minimize his "losses!. Yet, the story even gets better. TEP decides to put him on a "illegal" Net Metering Plan", where he/she signs a 10 year agreement and the electricity rate is now placed on a "premium rate" at \$0.202 per Wh for all current needed to supplement he "shortfall" of the systems capability to supply the electric needs of the home. A 3040Wh system does barely harvests the current requirement for the home during the "best of conditions" (Solar and ambient temperatures) and that "excludes" the AC Unit consumption of electric current. This current comes from the Grid at 0.202cents Wh, via "illegal" for Off-Grid, Net meter". This is a bidirectional meter to "accumulate credits" but customers system does not have "permission" to feed the credits to the grid. A Net Meter serves no other purpose than "higher electric rates" ...We really need to identify this customer, so he/she may be made whole again.

He is a perfect example how a "concerned customer" Goes Green, and after spending over \$25K the monthly electric bill will be at least 370% higher than it would be without a residential Solar System, as "installed" by the EXPERTS, both installer and TEP "know-how" to screw the public..

As an "ironic" note, the installer wrote a note, at the end of the "residential Solar Electric (PV) Rebate Calculations form. Quote: Customer system is Off-Grid. Agreed to accept system size/off-grid due to misunderstanding of the fact that this was a battery back up system!

Apparently this is a "mode of operation" of the TEP gang....Misunderstanding my foot!...This is a well planned SCAM, that needs to be fully investigated by the ACC.. TEP need to provide the customers identity, so as he may testify to the events as they occurred. How would an intelligent person sign up for such scam. To spend \$25K and still have a higher electric bill for the next 10 years by 370% of the going electric rate approved by ACC.

This is "reality", I obtained this information from the "evidence" the Roshka De Wulf & Pattern PLC law firm attached to the Motion in Limine they filed in behalf of TEP. No wonder they do not want me to have any of the TEP personnel available for cross examination. The truth must come out, and when it becomes public I'm certain more "happy customers" will come forward" to tell their story and experience with TEP!.. Unbelievable, this reads like Ayn Rand's, "Atlas Shrugged?"

Cordially yours,

Viktor Peter Polivka, Complainant

Cc. Congresswoman Gabrielle Giffords