

The following describes how the GeoPeak Solar Salesman, Gene Kingman, misrepresented any agreement he may or maynot have had with the Pemberton Borough Electric Department. By so doing he enabled a Solar installation that could not function as advertised thus placing Geopeak in a position where they are liable under the [New Jersey Consumer Fraud Act](#). Mr. Kingman was made aware of a [potential problem](#) with the borough before any agreement was made. Mr. Kingman represented to me to GeoPeak Solar Corp and to Sunpower Corp. that any problem that may have existed had been resolved and solar panels could be installed and perform as guaranteed in the contract and conform to the Electric Code of Pemberton Borough in the State of New Jersey.

I have wanted solar panels installed for years. In the summer of 2010 I went on line to One Block Off the Grid and was referred to Trinity Solar. They had a package that would cost me \$2200 to have panels installed. I would not get the SRECS but would get the benefit of the power produced. For very little investment I would be able to substantially reduce my electric bill.

I liked that proposal. On October 26, 2010, after surveying the house and it's placement, Chuck Bergen from Trinity Solar presented [a contract](#) which I agreed to and signed. They were given a \$1000 to proceed.

I applied for the building permit at the borough, giving them the \$3500 deposit. Things went quiet for a while, until until early June of 2011 when I was notified that because of the Borough restrictions they would not be able to complete the installation. I was very disappointed but there was no damage done. The deposit was returned and the [contract canceled](#). The deposit with the borough was returned minus about \$200 for their trouble.

In January of 2012 I contacted Geopeak Energy and asked to speak with their representative. Gene Kingman was the sales person assigned to me. The first thing I told him was about the problem with Trinity. This was done both verbally and in an e-mail on January 20th, 2012 with a copy of the proposal from Trinity attached. Mr. Kingman was advised that Trinity had terminated the contract because of the Borough regulations that prohibited Net Meters.

Mr. Kingman stated that his manager at Geopeak would contact the Borough. On January 30th, 2012 I received [an e-mail](#) stating that his Manager would be visiting the Borough the next day. Some time later he reported to me verbally that they had sat down with the Borough and had worked out a solution and the project could continue. I asked who had been contacted in the Borough and what the remedy was. He said he couldn't tell me but that but it had been resolved.

Although I should have stopped right there suspecting fraud, the project went forward. I refinanced my home to get the \$22,500 needed to pay the lease up front. It took some time for the paperwork to get completed but I was finally presented with the necessary check. The payment was made to Geopeak.

In June, Geopeak's Project Manager, Heather Keim, gave me the application for the borough building permit. I presented it to Donna Mull at the borough office with a check for \$3000 which she accepted. It was actually \$500 less than the required \$3500 but she didn't make an issue of it. On or about July 2, 2012 GeoPeak started the installation. On July 17, 2012 the system was complete and the electrical inspector approved the installation.

Several days later I received a lengthy [contract](#) from the Borough that I was expected to sign before the Borough would connect the system to the grid. I objected to the contract on many levels and refused to sign it.

A town like Pemberton only takes action at their monthly meetings. In August they knew that I was not signing the contract. In September I had a proposed document which I delivered to their council, David Serlin. In October they presented me with a revised and much smaller [contract](#) which

was acceptable with the exception that they still excluded Net Meters. I had little choice but to sign.

It took most of the Month of November for the paperwork to be completed. A borough electrician arrived on December 17, 2012 to connect the system to the grid and it was operational. I was monitoring the meters and trying to make sense out of what I was seeing. The Borough's meter measuring energy to the Grid was reading the same as the meter on the system for the energy generated. My usage was unchanged and the borough's meter closely matched my consumption measurements.

In February, I started asking the Ms. Keim, why my bills were so high. She assumed that I wasn't reading something correctly. I was persistent and by July had finally gotten her attention.

Their installers came out to the house and reworked the wiring. It was then that I learned that the Borough meter was connected in parallel with the home meter. The readings were beginning to make sense. All the energy produced was indeed going to the borough. Between August and October we tried a variety of things so that I would get to use the energy. One of the configurations was to put the output meter in series with the home meter. When we did this I was able to use some of the energy produced but the excess went to the borough.

When power went through the House meter in the reverse direction we could see the current going through it using a separate meter. The digital meter ran in reverse direction. We left it that way for a while and discovered that instead of corresponding to my consumption, the house meter was about 1.75 times higher.

I called the manufacturer of the meter. He couldn't tell me how that specific meter had been programmed but that it was capable of reading current in both directions and could sum the two values or take the difference between them. This meter was obviously summing them.

In the mean time, the Chief electrician at Geopeak had contacted one of the borough electricians and asked him for a diagram for how the meters were to be connected. The electrician said there was no diagram but that the output meter should be connected to the output of the solar generator at one end and the house meter at the other end. I don't know if he specified which side of the House meter it should be connected to, but the Geopeak Electrician connected it to the house side, putting the two in Series.

With the meters installed in that way, the house meter was measuring and summing energy going to the house as well as the excess solar energy going to the grid. This configuration was too costly to run so the system was turned off. It has remained off ever since.

Throughout this period I had been trying to get the borough to be more specific in their code, insisting that they were not meeting their own requirements the way the system was wired. No where in the code did it say they would take all of the power produced. They stated that they would buy the "excess" and that the excess would be measured by a separate meter. They did not specify the meter nor the placement of that meter. Consequently, reading the code prior to the installation, there was no way to know that they were in fact taking everything produced when the output meter was installed in parallel with the home meter. That is not how the meter was currently installed.

By this time, Mr. Kingman was no longer with the company and all we had was the brief written and spoken statements that a solution had been found. Obviously, it was wishful and creative thinking on his part. I seriously doubt that his un-named manager ever visited the borough as he stated in his e-mail.

I was totally played by the Salesman as was GeoPeak. They should have known ahead of time what the problems were and what the risk was. Simply the fact that they would not permit "reversing"

meters would have been clue enough to anyone who know how the systems were supposed to work. As soon as I saw how the meters were wired and that the House meter read higher with power passing in the reverse direction, I know that we couldn't make this work.

I continually made presentations to the Council because they were not purchasing "EXCESS" energy as stated in the Code. At the February 2014 meeting they passed Ordinance 2014-1 which removed the Term Excess from the Code. The ordinance did not add the phrase "purchase all the generated power" to the code as it should. The February meeting was the first time I heard anyone on the Council state that it was their policy to purchase **ALL** the power. At that point I realized there was little to be gained in moving forward with the Borough because they were stonewalling me and felt threatened by solar.

It was clear that Mr. Kingman misrepresented the facts to me and Geopeak. I doubt that his manager spoke with the Borough. There was no remedy. He misrepresented the situation to GeoPeak who also took him at his word that he had cleared things with the Utility and we were ready to do the installation. Had he been honest, the program manager and the GeoPeak Electric supervisor should have understood the problem. It was not until I made a personal unannounced appearance at their facility in October that they finally began to understand the issue.