

Stephen C. Young
1040 Oak Terrace
Lake Oswego, OR 97034
503 407-8849
thefox56@q.com

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Oregon DEQ-OCVRP Rebate
Attn: Appeals
700 NE Multnomah St., Suite 600
Portland, OR 97232

Re: Appeal - Application #201802R83

To Whom it May Concern:

I received an email on 4/16 indicating I was not eligible for a Standard Rebate based on the Terms and Conditions and rules governing the OCVRP, due to the fact that my Phase 1 application was submitted more than 6 months after the purchase of my Chevy Bolt. I purchased my Chevy Bolt on 3/1/18 but submitted the Phase 1 application on 10/29/18.

I am submitting this appeal for your review and as a means to advocate for what I believe to be an unfair circumstance imposed by the OAR statute. I believe the OAR 340-270 statute should be applied with a different lens for the first year of the program, and that your office and the legislature should be applying a grandfathering period in the 2018 year of this program (1st year). That is to say, the 6 month Rule to submit a Phase 1 application, as it was written and backdated for the clock to start on 1/1/18, should not be applied in the first year of this program. The following is an explanation of the circumstances in my case that explain this appeal.

First, prior to purchasing my Bolt on March 1, 2018, I was unaware of a tax incentive or rebate program in Oregon. The dealership, Wilsonville Chevy, did not inform me of, nor did they know of an Oregon incentive program when I purchased my vehicle on March 1, 2018. In fact, I did not become aware of the possibility of an Oregon incentive until I heard news on NPR of an Oregon Supreme Court decision that apparently pertained to an Oregon Clean Vehicle incentive. Looking this up on the internet, that decision was made on 8/2/2018, and it had to do with a ruling on the revenue source such that an incentive program could go forward. At that time I was unaware that there was a DEQ website. To add to the confusion, in December 2017, I had purchased a wall mounted heat pump mini-split to replace my old oil burning furnace, which was installed in early 2018, so I would be eligible for an Oregon incentive program that had a process of approval for a tax credit on the 2017 Oregon tax return so long as the work was completed prior to the filing date of 4/15/18. Thus, in August of 2018 my 1st thought was to assume the electric auto incentive would be a similar process to receive a tax credit on my 2018 tax return. In October, I

began searching the internet for information about what forms I might need to complete, and came upon the DEQ website. I then became aware that this was a rebate program, not a tax credit program like the Federal incentive or other Oregon clean energy incentives. I then submitted the Phase 1 application.

The history and information about this Program has been to say the least, muddled and confusing. My filing of the application beyond the 6 month window was not due to laziness or procrastination, it was due to lack of clarity, confusion and lack of information provided in a timely manner about this program. Upon researching the OAR, I discovered that the OAR 340-270 did not become effective until 5/14/2018 which was after I had purchased my vehicle, yet it was retroactively applied to 1/1/18. The EQC had not even adopted the rule until 5/11/18. In all fairness, if a legislative rule is not even adopted and effective until 5/14/18, then at minimum the 6 month Phase 1 application submission rule should begin on 5/14/18 which would be the 1st official date the OAR was effective, which would allow my application to be approved. Adding more confusion to the matter, the program could not officially move forward until the Supreme Court ruling on 8/2/18, and this news was easily interpreted by an individual such as myself, as the first indication that a program would be going into effect in Oregon.

It is unfair in the 1st year of this program to be held to the 6 month window which was backdated to before the effective date of the OAR on 5/14/18, and a Supreme Court decision occurring not until 8/2/18 along with the fact that there was no significant effort being made to inform or provide clarity to me as a vehicle owner let alone the public as a whole about the start of the program and its rules.

I have already submitted the required documentation, proof of purchase and driver's license copy. Since the OAR and the dates I mention are public record, I will not be including their documentation. There is no supporting documentation I can include which would add clarity to the facts of how muddled and confusing the 1st year of this Program's implementation has been to me and probably to many other purchasers in the year 2018.

I respectfully request that my rebate be approved. It is simply reasonable, ethical and fair to honor my expectation and the intent that I deserve and should receive, as any other Oregon citizen who now in 2019 would reasonably know of this rebate program and no longer be faced with the circumstances I faced.

Sincerely,

Stephen C. Young