

Atchison Couple Wins Suit against Effingham Contractor

An Atchison couple wins a journal entry of default judgment against an Effingham wind turbine contractor after he failed to properly certify an application for turbines on their property.

Wayne and Constance Hale were recently awarded a judgment of over 29 thousand dollars plus consequential damages of over three thousand dollars plus court costs and fees against Renewable Energy Technologies of Northeast Kansas LLC and its CEO and owner, Christopher Thompson.

The Hales went through the process to get a wind turbine on their property after an ordinance was passed by the City of Atchison allowing them.

However, they discovered the company failed to comply with the Atchison City wind ordinance to submit signed and stamped engineer drawings to the Atchison Planning Commission.

In December 2011 they checked the Kansas Business Center website and discovered that Thompson's LLC license was revoked.

So, they filed a "Petition for Damages and Breach of Contract" suit in January.

Mr. Thompson did not respond.

He did not appear in court for hearing on "Petition for Default Damages" on March 9th, so they were given the judgment plus a post judgment interest rate of 12 percent per annum until paid in full.

They discovered they needed to have a UL1741 Certification for on-grid application and he had applied for the off-grid ones when they were installed.

They searched online for the manufacturer of the inverter and then searched their website for the UL1741 certification models.

It verified that the inverter delivered to their home by our contractor was not one listed for UL1741 certification as specified in their contract.

The Hales wanted to inform individuals wanting to put turbines the process to make sure you have the proper certification and inverters.

They say you need to first complete a net-metering rider application with your electrical company.

The application must certify that the inverter meets UL 1741 Certification for interconnection with the grid.

You must also check the model number - if not on the front of the box - check the side.

A licensed electrician or licensed professional engineer must complete the application and certify that the installation meets the plans and specifications described in the application.

A Net-metering application is available online or you can contact your electrical company to obtain a copy.

They say another important issue is the contract.

Be sure you get your copy.

Constance Hale says she was fortunate to have a copier, scanner connected to her computer.

She advises to not give the contractor money upfront without a copy of the contract and that trust is important in a contract, but you need to protect your interest in the investment.