

**State of California  
AIR RESOURCES BOARD**

**Executive Order DG-016**

**Distributed Generation Certification of  
Altery Systems**

**Freedom Power FPS-5 Fuel Cell**

WHEREAS, the Air Resources Board (ARB) was given the authority under California Health and Safety Code section 41514.9 to establish a statewide Distributed Generation (DG) Certification Program to certify electrical generation technologies that are exempt from the permit requirements of air pollution control or air quality management districts;

WHEREAS, this DG Certification does not constitute an air pollution permit or eliminate the responsibility of the end user to comply with all federal, state, and local laws, rules and regulations;

WHEREAS, on June 8, 2007, Altery Systems applied for a voluntary DG Certification of its 5 kW Freedom Power FPS-5 fuel cell and that application was deemed complete on June 18, 2007;

WHEREAS, Altery Systems, was issued a DG Certification on July 13, 2007, for its FPS-5 fuel cell;

WHEREAS, Altery Systems, on March 26, 2012, requested an extension of the certification of the Freedom Power FPS-5;

WHEREAS, the Altery Systems hydrogen-fueled Freedom Power FPS-5 fuel cell is a zero-emission technology.

NOW THEREFORE, IT IS HEREBY ORDERED, that a DG Certification, Executive Order DG-016, original executed at Sacramento, California on July 13, 2007, is hereby extended.

This DG Certification:

- 1) is subject to all conditions and requirements of the ARB's DG Certification Program, article 3, title 17, CCR, including the provisions relating to inspection, denial, suspension, and revocation;
- 2) shall be void if any manufacturer modification results in the device no longer being a zero-emission technology;

- 3) shall be void if marketed to be fueled by any fuel other than industrial-grade hydrogen or ultra-high-purity hydrogen; and,
- 4) shall expire on July 13, 2017.

Executed at Sacramento, California, this the 18<sup>th</sup> day of May 2012.

James N. Goldstene  
Executive Officer  
by

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Cynthia Marvin, Chief  
Stationary Source Division