

January 6, 2005

Rich Magasin, Attorney
Office of the Attorney General
300 S. Spring Street
Los Angeles, CA 90013-1230

Dear Mr. Magasin:

Thank you very much for speaking with me on 12/20, 12/23 and 12/30 regarding the complaint from my wife and I about Ford Motor Company as well as the other large auto manufacturers' systematic termination of their partially California Taxpayer funded Electric Vehicle programs. We understand, from your last message, that you will only accept a formal complaint from the California Air Resources Board (CARB) in order to explore this issue. We had a conversation with CARB, whose position on this issue does not look promising.

As California taxpayers, my wife and I were livid when we found out that Ford was canceling their electric vehicle (EV) program and even crushing these working vehicles after receiving tremendous tax benefits and subsidies from California and the Federal government. As electric vehicle drivers, we are keenly aware that these vehicles are a viable solution to help correct California's air quality problems as well as help address our soaring asthma rates among both children and adults.

There is documented evidence of demand for these vehicles and overwhelming demonstration of their successful integration into fleets and citizens' lives. California has invested millions to prepare for EVs in addition to the provision of grants to Ford, GM and the other automakers to make EV's, for example, building an expansive electric charging infrastructure, and in tax benefits for corporate compliance to our once strong Zero Emissions Mandate. The Federal Government has also provided credits to the auto corporations towards their Corporate Average Fuel Economy (CAFE) standards (offsetting millions of dollars in fines).

We believe that Ford, GM and the other automakers handling of EV programs, including but not limited to lack of marketing, dissemination of false information and program termination via crushing of these working vehicles despite heavy investment of California taxpayer money, amounts to the criminal act of fraud against the State and people of California. It is also outrageous that the California Air Resources Board or any other overseeing body has not seemingly held Ford, GM and others accountable. After speaking with a CARB attorney, Tom Jennings, it appears as though CARB will accept the automakers' false complaints of lack of interest and poor battery performance. Indeed, when we spoke, we learned that each of the automakers had different attached obligations to the boilerplate MOA, and Tom would only offer that Honda's had been thoroughly reviewed for compliance. Should CARB, in the name of the people of

California, settle for less than the promise of a better future with truly zero emissions vehicles?

We submit that automakers claims should not be taken at face value. Several questions remain to be asked and documented answers obtained. For example: “Why are you terminating a program with demonstrated success?” “Why were GM employees asked to deny that expansive waiting lists existed for their EVs?” “When were taxpayer-funded grant checks accepted and how long was it afterwards that the vehicles were recalled?” “Why not sell the leased EVs instead of crushing them, especially when in Ford’s case, they previously sold them and must, by law, provide parts and service for a period of 10 years from purchase?” “Why are EVs treated differently for other discontinued vehicles, like the Pinto (which had fatal problems, but were not taken back and destroyed by Ford)?”

We respectfully request that the Attorney General’s office use all the various resources available to ask these questions, fully investigate and prosecute Ford, GM and any other automaker found to be engaging in improper activity. Ford employees have lied to us on several occasions about why they wanted our own EV back. We believe they lied to CARB as well.

There are few issues, which have the potential to create such a large-scale positive affect in the *world*. Making vehicles, which do not require oil and gas to operate, is one of them. The EV *is* a viable, and successful solution to reduce greenhouse gases, address global warming among many other global and domestic issues. We implore you, not just on behalf of our outrage, but on behalf of the 100 million human beings in this nation that live in areas that fail to meet Federal Air Quality Standards, and the staggering number of Californians who suffer from asthma and other lung diseases. Corporation’s campaign contributions should not be more valuable than the life of a single human being. Californians make California the automakers’ largest revenue market. What we do, people and nations follow. Taxpayers have helped to develop this technology; we should be able to at least have these vehicles as an option and benefit from our collective progress.

Respectfully Yours,

David Bernikoff-Raboy

Heather Bernikoff-Raboy

CC: Arnold Schwarzenegger, Governor
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