SEC Form 3

FORM 3

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

## INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

OMB APPROVAL

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Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person* <u>Rackow Gary Paul</u>			2. Date of Event Requiring Statem (Month/Day/Year 10/05/2006	nent	3. Issuer Name and Ticker or Trading Symbol <u>ACTIVE POWER INC</u> [ ACPW ]						
(Last) (First) (Middle) 2128 W. BRAKER LN., BK 12					4. Relationship of Reporting Pers (Check all applicable) Director		on(s) to Issuer 10% Owner Other (specify		<ol> <li>If Amendment, Date of Original Filed (Month/Day/Year)</li> <li>Individual or Joint/Group Filing (Check</li> </ol>		
(Street) AUSTIN (City)	TX (State)	78758 (Zip)	_		Х	Officer (give title below) VP of Sales - Am	below)	cny	Applicable Line) X Form filed by One Reporting Person Form filed by More than One Reporting Person		
Table I - Non-Derivative Securities Beneficially Owned											
1. Title of Security (Instr. 4)					2. Amount of Securities Beneficially Owned (Instr. 4)				4. Nature of Indirect Beneficial Ownership (Instr. 5)		
Table II - Derivative Securities Beneficially Owned         (e.g., puts, calls, warrants, options, convertible securities)											
1. Title of Derivative Security (Instr. 4)			Expiration Da	2. Date Exercisable and Expiration Date (Month/Day/Year)		3. Title and Amount of Securit Underlying Derivative Securit		ty (Instr. 4) Conve or Exe		5. Ownership Form: Direct (D)	6. Nature of Indirect Beneficial Ownership (Instr. 5)
Explanation of			Date Exercisable	Expiration Date	n Title		Amount or Number of Shares	Price o Derivat Securit	ive	Direct (D) or Indirect (I) (Instr. 5)	

**Remarks:** 

No securities beneficially owned.

No securities are beneficially owned.

/s/ Maya Walker (Attorney-in-

Fact)

10/10/2006

\*\* Signature of Reporting Person Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

\* If the form is filed by more than one reporting person, see Instruction 5 (b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.

## CONFIRMING STATEMENT

This Statement confirms that the undersigned, Gary P. Rackow, has authorized and designated John K. Penver, Catherine Brophy and Maya Walker to execute and file on the undersigned's behalf all Forms 3, 4, and 5 (including any amendments thereto) that the undersigned may be required to file with the U.S. Securities and Exchange Commission as a result of the undersigned's ownership of or transactions in securities of Active Power, Inc. The authority of John K. Penver, Catherine Brophy and Maya Walker under this Statement shall continue until the undersigned is no longer required to file Forms 3, 4, and 5 with regard to the undersigned's ownership of or transactions in securities of Active Power, Inc., unless earlier revoked in writing. The undersigned acknowledges that John K. Penver, Catherine Brophy and Maya Walker are not assuming any of the undersigned's responsibilities to comply with Section 16 of the Securities Exchange Act of 1934.

Date: October 5, 2006

/s/ Gary P. Rackow Gary P. Rackow