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## PUBLIC SERVICE COMMISSION

March 28, 2011

### NOTICE OF CERTIFICATION REQUIREMENT TO ACCOMPANY 2010 ANNUAL SUPPLIER MARYLAND RENEWABLE PORTFOLIO STANDARD REPORT

**To: All Electric Companies and Licensed Retail Suppliers**

After December 31, 2011, solar renewable energy credits (“S-RECs”) must be the product of a Tier 1 solar source connected to the energy grid serving Maryland in order to be eligible for inclusion in an electricity supplier’s renewable energy portfolio. *See* Pub. Util. §7-704(a)(2)(i)(1). However, prior to January 1, 2012, S-RECs that are produced by solar facilities that are not connected to the electric grid serving Maryland may be eligible for inclusion in an electricity supplier’s renewable energy portfolio for purposes of meeting the supplier’s solar obligations “...*only if* offers for solar credits from Maryland grid sources are not made to the electricity supplier that would satisfy requirements under the [Maryland Renewable Portfolio] standard and *only to the extent* that such offers are not made.” *See* Pub. Util. §7-704(a)(2)(i)(2) (emphasis added).

Under COMAR 20.61.02.04D, prior to the sale of a solar REC by a solar renewable energy facility to a person other than a Maryland supplier, the solar energy facility must offer the solar REC to a Maryland supplier by posting an offer for sale on a publicly accessible website approved by the Commission for 10 business days. The Commission maintains a website for this purpose. In order to facilitate the requirement that S-RECs submitted for compliance with each electricity supplier’s annual renewable portfolio standard report be eligible under Pub. Util. §7-704(a)(2)(i)(2), the attached affidavit will be made a part of the 2010 Annual RPS Report form due in April and subsequent forms, as appropriate.

If you have already submitted your Company’s 2010 Annual RPS Report, please submit this form separately; otherwise, please submit this form as part of your Company’s 2010 Annual RPS Report when filed.

By Direction of the Commission,

*/s/ T. J. Romine*  
Terry J. Romine  
Executive Secretary

#### Attachment

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**2010 ANNUAL SUPPLIER RPS REPORT – MARYLAND RPS PROGRAM**

**AFFIDAVIT OF COMPLIANCE WITH PUB. UTIL. §7-704(a)(2)(i)(2)**

State of \_\_\_\_\_

County of \_\_\_\_\_

\_\_\_\_\_ Affiant, being duly sworn/affirmed according to law,  
(Full Legal Name)

deposes and says that:

He/she is the \_\_\_\_\_ of \_\_\_\_\_.  
(Position/Title) (Electricity Supplier)

That he/she is authorized to and does make this affidavit for \_\_\_\_\_

That the Affiant hereby certifies to the Commission under penalty of perjury that he/she has personally examined and is familiar with all information contained in the forgoing report, including any attachments and appendices, and further certifies that information to be true, correct, complete, and in compliance with Section 7-701 *et seq.* of the Public Utilities Article of the Annotated Code of Maryland and Subtitle 20.61 of the Maryland Code of Regulations.

That the Affiant further certifies to the Commission under penalty of perjury that he/she has reviewed the submission of all solar RECs and, to the extent that any solar RECs have been submitted from sources not connected to the electric grid serving Maryland, these RECs represent the extent to which offers for solar credits from the Maryland grid sources were not made available.

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Official Administering Oath

My commission expires \_\_\_\_\_.