

Joint Powers Agency or Third-Party Supplier Contract - POU Attestation Form



This attestation form shall be completed by a local publicly owned electric utility (POU) submitting long-term contract(s) or resale agreement(s) executed on or after July 1, 2020 with a joint powers agency (JPA) or third-party supplier. POU's may use this attestation to demonstrate that all underlying contract(s) between the JPA or third-party supplier and RPS-certified facilities supplying the electricity products to the POU meet the applicable portions of the Long-Term Procurement Requirements (LTR) specified in *The Enforcement Procedures for the Renewables Portfolio Standard for local Publicly Owned Electric Utilities* (RPS POU Regulations), section 3204 (d)(2)(A)-(C).

Consistent with Section 3207 (d)(2)(F)1.-2. of the RPS POU Regulations, California Energy Commission (CEC) staff will use this attestation to evaluate the LTR eligibility of the underlying contract(s) associated with a POU's long-term contract(s) or resale agreement(s) with a JPA or third-party supplier. A POU may only complete this attestation if it possesses records to support the accuracy of the information to which it attests and agrees to make such records available to the CEC upon request.

One attestation submission is required for each POU and long-term contract agreement with a JPA or third-party supplier, even if multiple POU's are a party to a single contract with a JPA or third-party supplier.

POU's must upload the electronic file of the completed attestation(s) using the upload feature in the "POU Contracts" reporting page within the RPS Online System. The link to the RPS Online System is provided below:

<https://rps.energy.ca.gov>

Instructions: Read the attestation form carefully and list the POU Name and POU Contract ID in the appropriate places. Then sign and date under the declaration and upload the electronic file as described above.

Form Definitions		
1.	POU Name	Enter the name of the publicly owned utility the electricity products are being sold or resold to.
2.	POU Contract ID	Enter the contract ID reported by the POU to the CEC. The format should be as follows: XXXX-YYYY-Z(Z), Where XXXX is the POU Code, YYYY is the Reporting Year, and Z(Z) is the serial number for the POU contract (Example: SMUD-2020-1).

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I am an authorized agent of _____ that has entered into a long-term contract or resale agreement with a joint powers agency (JPA) or third-party supplier, identified by RPS Online System Contract Number _____, and hereby attest to the following:

1. Contract Number _____ meets the criteria of California Code of Regulations, title 20, section 3204 (d)(2)(B)2 and was executed on or after July 1, 2020.
2. I have read and understand the applicable portions of the California Energy Commission's (CEC) *Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition (Revised)* and the RPS POU Regulations, including but not limited to California Code of Regulations, title 20, sections 3204 (d)(2)(A)-(C) and 3207 (c)(2)(F), and the definitions contained within section 3201.
3. Having reviewed Contract Number _____ and other supporting documents or appendices related to this agreement, I affirm that all RPS-certified facilities supplying the electricity products to _____ pursuant to Contract Number _____ were either (a) owned by the JPA or third-party supplier as of the contract start date for Contract Number _____, or (b) were subject to a long-term contract with the JPA or third-party supplier with a remaining duration of at least 10 continuous years as of the contract start date for Contract Number _____.
4. _____ possesses documentation to support the accuracy of the information to which I am attesting and _____ agrees to make such documentation available to CEC staff upon request.
5. If requested by CEC staff, _____ agrees to provide documentation for RPS verification purposes, including excerpted underlying long-term contract information, documentation of the JPA or third-party supplier's ownership of RPS-certified facilities, or other documentation showing that all RPS-certified facilities supplying the electricity products to _____ pursuant to Contract Number _____ are subject to contracts or ownership agreements meeting the applicable long-term contract requirements of California Code of Regulations, title 20, section 3204 (d)(2)(A)-(C).
6. I acknowledge that this attestation and any accompanying documentation provided to CEC staff that relates to Contract Number _____ will be used to verify renewable energy credit claims of _____ for purposes of California's RPS.

I declare under penalty of perjury that the information submitted on behalf of _____, including any underlying contract information and documents for Contract Number _____, this attestation, and any other information, forms, and documents accompanying this attestation are in accordance with California's RPS requirements and are true, correct, and complete to the best of my knowledge.

Print Name

Signature

Organization Name

Date