

NEW JERSEY BOARD OF PUBLIC UTILITIES

IN THE MATTER OF DECLARING )  
TRANSMISSION TO SUPPORT )  
OFFSHORE WIND A PUBLIC )  
POLICY OF THE STATE OF )  
NEW JERSEY )

DOCKET NO. QO20100630

AFFIDAVIT OF JOHNBINH VU

I, Johnbinh Vu, of full age, and being first duly sworn upon oath, dispose, and state as follows:

1. I am an Executive Director Development for NextEra Energy Transmission, LLC (“NEET”). My responsibilities include Project Director for NextEra Energy Transmission MidAtlantic Holdings, LLC’s (“NEETMA”) offshore wind transmission applications and supplemental information submitted to PJM Interconnection, LLC (“PJM”) and the New Jersey Board of Public Utilities (“Board”) in Docket No. QO20100630 (“Applications”).
2. I am authorized to make this Affidavit, which is based on my personal knowledge.
3. This Affidavit is being provided pursuant to applicable Board rules at N.J.A.C. 14:1-12.1 et seq.
4. With this Affidavit, NEETMA is submitting Public and Confidential Copies of its Applications to the Board in the above-captioned docket. The confidential and proprietary information that has been redacted from the Public Copy are Trade Secrets (as defined by N.J.S.A. 52:27F-3 and N.J.A.C. 14:1-12-2) of NEET and NEETMA (“Trade Secret Information”). Trade Secret Information is exempt from disclosure under the Open Records Act, N.J.S.A. 47-1A-1 et seq. and the Board’s regulations, N.J.A.C. 14:1-12.1(b).

5. The Trade Secret Information contained in the Applications is highly competitive and commercial confidential and proprietary information related to bidding strategy, competitive analyses, and technical designs.

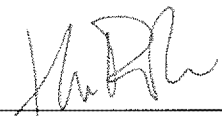
6. Trade Secret Information has been intentionally kept secret and non-public through a limited in distribution to certain NEET and NEETMA employees and affiliate employees, consultants, and attorneys on a need-to-know basis. Consultants have been required to execute non-disclosure agreements to protect the secrecy of the Trade Secret Information. The Trade Secret Information is also protected through electronic data security restrictions and restricted access to NEET, NEETMA, and its affiliates facilities.

7. To the best of my knowledge and belief, the Trade Secret Information is not in the public domain. The Trade Secret Information has not otherwise required to be disclosed by law, and, therefore, it is not otherwise ascertainable by the public or the competitors of NEET and NEETMA.

8. NEET and NEETMA derives an independent economic value from maintaining the Trade Secret Information secret, as the Information was used for the purpose of developing and bidding the transmission projects set forth in the Applications in the highly competitive offshore transmission industry. Disclosure of the Trade Secret Information would be useful information for any competitor of NEET and NEETMA, as the competitor could use the Trade Secret Information to enhance and formulate a competing proposal designed to undercut NEET and NEETMA's current and future bids and contract negotiations. As such, disclosure of the Trade Secret Information would result in materially and significant competitive harm to NEET and NEETMA. Additionally, maintaining the confidentiality of proprietary Trade Secret Information allows NEET and NEETMA to provide candid bidding information. Public

disclosure of this information would have a chilling effect on future bidding processes as bidding parties would be reluctant to submit confidential information for consideration.

9. The confidential information should remain redacted from the Public Copy of the Applications until NEETMA agrees otherwise.

  
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Johnbinh Vu  
Executive Director

Dated: April 29, 2022

Sworn to and subscribed before me  
This 29<sup>th</sup> day of April, 2022

