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Via Electronic Mail

Hon. Sherri L. Golden, Board Secretary
New Jersey Board of Public Utilities
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**Re : In the Matter of Offshore Wind Transmission Stakeholder
Proceedings for the PJM State Agreement Approach
BPU Docket No. QO20100630**

Dear Secretary Golden:

The Board has listed as Item 8C on the June 7, 2023 agenda, Docket No. QO20100630 – In the Matter of Declaring Transmission to Support Offshore Wind a Public Policy of the State of New Jersey. The description of the item to be discussed is “The Board will consider project scope modifications related to the State Agreement Approach.” See June 7, 2023, Agenda for Board Meeting (available at <https://nj.gov/bpu/pdf/boardagendas/2023/20230607a.pdf>).

Rate Counsel is a party to this matter. This is because Rate Counsel is the statutory representative of the party that will ultimately pay the rates of the transmission projects built as a result of the Board’s decisions. Significantly, New Jersey ratepayers will pay 100% of the costs of these projects—they will not be socialized across PJM ratepayers as are other RTEP transmission projects. As a party, Rate Counsel has certain rights including the right to have notice before the Board takes action and the right to be heard before the Board takes action. See In re Provision of Basic Generation Serv. for Period Beginning June 1 2008, 205 N.J. 339, 347 (2011). On this agenda item, Rate Counsel was afforded neither. Rate Counsel did not learn of the matter until it was posted on the agenda. Rate Counsel still has no idea what “project scope modifications” the Board will be considering, or the rate impact of those changes. Rate Counsel is aware that, without notice, the winning bidders in this docket already increased the overall cost

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Ms. Sherri Golden, Board Secretary

June 5, 2023

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of the project over \$127 million,¹ but it is not clear if the Board will now ratify those changes or if there are additional costs that will be passed to ratepayers. As a party, Rate Counsel should be noticed of these changes and provided a fair opportunity to be heard.

For these reasons, Rate Counsel objects to Item 8C being on the June 7, 2023 agenda and respectfully requests that the matter be removed from consideration to allow Rate Counsel an opportunity to learn what the Board intends to consider and be heard on that matter.

Respectfully submitted,

BRIAN O. LIPMAN, DIRECTOR
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By: /s/ T. David Wand
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¹ At the May 9, 2023 PJM Transmission Expansion Advisory Committee, several of the State Agreement Approach bidders advised, with no underlying details, that they would be increasing the costs of their bids. Rate Counsel, as well as any other member of the public, was not permitted to inquire further into these cost increases.

**In the Matter of Offshore Wind
Transmission – Stakeholder
Proceedings for the PJM State
Agreement Approach**

Docket No. QO20100630

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