



Agenda Date: 9/27/23
Agenda Item: 8E

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CLEAN ENERGY

IN THE MATTER OF THE OPENING OF NEW) ORDER EXTENDING APPLICANT
JERSEY'S THIRD SOLICITATION FOR) NOTIFICATION DEADLINE TO BOARD
OFFSHORE WIND RENEWABLE ENERGY) STAFF ON CONTINGENT PROJECTS
CERTIFICATES (OREC))
) DOCKET NO. QO22080481

Party of Record:

Brian O. Lipman, Esq., Director, New Jersey Division of Rate Counsel

BY THE BOARD:

By this Order, the New Jersey Board of Public Utilities ("Board" or "BPU") considers granting Board Staff ("Staff") the ability to further extend, as necessary, the deadline for applicants in the third offshore wind solicitation ("Third Solicitation") to notify Staff regarding removal of their respective contingent projects from consideration.

BACKGROUND

In accordance with the Offshore Wind Economic Development Act ("OWEDA" or "Act"), Governor Murphy's Executive Order No. 8 ("EO 8"), Executive Order No. 92 ("EO 92") and Executive Order No. 307 ("EO 307"), on March 6, 2023, the Board opened the application window for the Third Solicitation for offshore wind projects in lease areas designated by the Bureau of Ocean Energy Management in federal waters on the outer continental shelf off the coast of New Jersey.¹ The Board also approved the use of the Solicitation Guidance Document ("SGD") to inform applicants of the Third Solicitation process and the application requirements consistent with the rules at N.J.A.C. 14:8-6-1 et seq.²

Section 1.3 of the SGD addresses the requirements for contingencies related to other states' concurrent offshore wind solicitations, and allows Third Solicitation applicants to submit one or

¹ In re the Opening of New Jersey's Third Solicitation for Offshore Wind Renewable Energy Certificates (OREC), BPU Docket No. QO22080481, Order dated March 6, 2023 ("March 2023 Order").

² SGD, <https://njoffshorewind.com/third-solicitation/solicitation-documents/Final-Solicitation-Guidance-Document-with-attachments.pdf>.

more projects that are contingent on the outcome of other offshore wind solicitations (“Contingent Project”), subject to certain conditions.³

One of those conditions was that the applicant must notify Staff no later than July 31, 2023, whether a Contingent Project should be removed from consideration by New Jersey (“Contingent Project Notification Date”) even if the applicant has not been notified of selection for negotiation of a contract by another state prior to that date.⁴

On June 7, 2023, the Board extended the application submission deadline for the Third Solicitation, and modified certain portions of the Third Solicitation timeline.⁵ In the June 7, 2023 Order, the Board extended the Contingent Project Notification Date to September 11, 2023.⁶

Section 1.3 of the SDG allows Staff to extend the Contingent Project Notification Date one time, for up to 30 additional days.⁷ On September 1, 2023, in the transmittal of clarifying questions set one, Staff extended the Contingent Projects Notification Date to October 11, 2023.

Subsequent to the June 7, 2023 Order, New York updated its solicitation schedule for offshore wind generation projects (“New York Solicitation Schedule”) to reflect a revised submission deadline of August 24, 2023, and offshore wind generation projects award announcement (“Award Announcement”) in Q4 of 2023⁸. Based on New York’s revised schedule, extending the Contingent Projects Notification Date to October 11, 2023 could be insufficient to fully consider Contingent Projects.

DISCUSSION AND FINDINGS

The Board recognizes that changes made to the New York Solicitation Schedule may require Staff to further adjust the Contingent Project Notification Date, as it is currently uncertain and difficult to predict when, exactly, New York will make its Award Announcement. The Board also recognizes that Staff needs the flexibility either to keep the current Contingent Project Notification Date of October 11, 2023, or to adjust it to take into account any subsequent changes to the New York Solicitation Schedule or any subsequent changes to the Third Solicitation evaluation schedule. Therefore, the Board **HEREBY AUTHORIZES** Staff to adjust the Contingent Project Notification Date as necessary in order to evaluate all Third Solicitation project options as fully as possible.

All other dates and deadlines in the SGD and in the June 7, 2023 Order remain the same.

³ Section 1.3 of the SGD is entitled “Introduction and Overview of the OREC Program - Contingencies Related to Other States’ Concurrent Solicitations.”

⁴ See SGD, Section 1.3(iii). The other states that would notify an Applicant regarding its selection for negotiation of a contract for the Applicant’s Contingent Project are limited specifically to New York and Rhode Island. Id.

⁵In re the Opening of New Jersey’s Third Solicitation for Offshore Wind Renewable Energy Certificates (OREC), BPU Docket No. QO22080481, Order dated June 7, 2023 (“June 7, 2023 Order”).

⁶ Id.

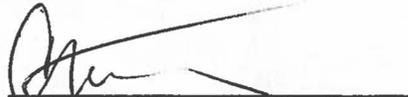
⁷ SGD, Section 1.3(v).

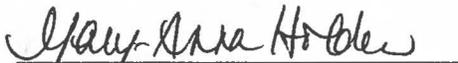
⁸<https://portal.nyserda.ny.gov/servlet/servlet.FileDownload?file=00P8z000002zRAYEA2>.

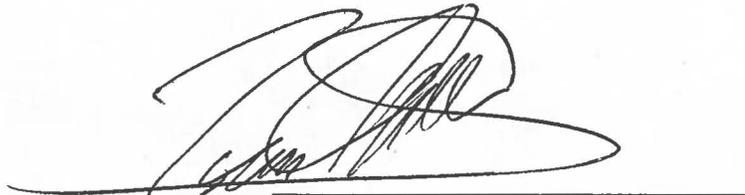
The effective date of this Order is October 4, 2023.

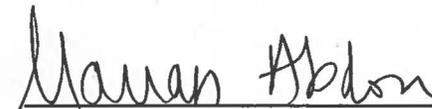
DATED: September 27, 2023

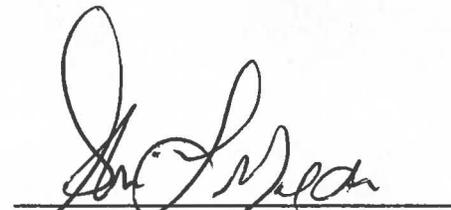
BOARD OF PUBLIC UTILITIES
BY:


CHRISTINE GUIHL-SADOVY
PRESIDENT


MARY-ANNA HOLDEN
COMMISSIONER


DR. ZENON CHRISTODOULOU
COMMISSIONER


MARIAN ABDOU
COMMISSIONER

ATTEST: 
SHERRI L. GOLDEN
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities.

IN THE MATTER OF THE OPENING OF NEW JERSEY'S THIRD SOLICITATION FOR OFFSHORE WIND
RENEWABLE ENERGY CERTIFICATES (OREC)

DOCKET NO. QO22080481

SERVICE LIST

New Jersey Board of Public Utilities

44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, NJ 08625-0350

Sherri L. Golden, Secretary
board.secretary@bpu.nj.gov

Bob Brabston, Esq., Executive Director
robert.brabston@bpu.nj.gov

Stacy Peterson, Deputy Executive Director
stacy.peterson@bpu.nj.gov

Taryn Boland, Chief of Staff
taryn.boland@bpu.nj.gov

Henry Gajda, Deputy Chief of Staff
henry.gajda@bpu.nj.gov

General Counsel's Office

Michael Beck, General Counsel
michael.beck@bpu.nj.gov

Carol Artale, Deputy General Counsel
carol.artale@bpu.nj.gov

Kim Diamond, Senior Counsel
kimberly.diamond@bpu.nj.gov

Charles Gurkas
charles.gurkas@bpu.nj.gov

New Jersey Division of Rate Counsel

140 East Front Street, 4th Floor
Trenton, NJ 08625-0003

Brian O. Lipman, Esq., Director
blipman@rpa.nj.gov

Maura Caroselli, Esq., Managing Attorney
mcaroselli@rpa.nj.gov

Office of the Economist

Dr. Ben Witherell, Chief Economist
benjamin.witherell@bpu.nj.gov

Farhana Rahman
farhana.rahman@bpu.nj.gov

Division of Clean Energy

Jim Ferris, Deputy Director
jim.ferris@bpu.nj.gov

Earl Thomas Pierce
earl.pierce@bpu.nj.gov

Kevin Dillon
Kevin.Dillon@bpu.nj.gov

Kira Lawrence
kira.lawrence@bpu.nj.gov

Genevieve DiGiulio
Genevieve.DiGiulio@bpu.nj.gov

Bailey Wild
Bailey.Wild@bpu.nj.gov

Division of Water & Energy

Bart Kilar
bart.kilar@bpu.nj.gov

New Jersey Division of Law

Public Utilities Section
R.J. Hughes Justice Complex
25 Market Street, P.O. Box 112
Trenton, NJ 08625

Daren Eppley, Section Chief, DAG
daren.eppley@law.njoag.gov

Pamela Owen, Assistant Section Chief, DAG
pamela.owen@law.njoag.gov

Paul Youchak, DAG
paul.youchak@law.njoag.gov

David Apy, DAG
david.apy@law.njoag.gov

Attentive Energy LLC

Caroline Tkachuk
caroline.tkachuk@totalenergies.com

Christen Wittman
christen.wittman@totalenergies.com

Invenergy Wind Offshore LLC

Aaron Geschiere
ageschiere@invenergy.com

Wes Jacobs
wjacobs@invenergy.com

Atlantic Shores Offshore Wind

Nathalie Jouanneau
nathalie.jouanneau@atlanticshoreswind.com

Ryan Donnelly
ryan.donnelly@atlanticshoreswind.com

New Jersey Dept. of Environmental Protection

P.O. Box 420
Trenton, NJ 08625

Katherine Nolan
katherine.nolan@dep.nj.gov

Megan Brunatti
megan.brunatti@dep.nj.gov

Elizabeth Lange
elizabeth.lange@dep.nj.gov

Community Offshore Wind, LLC

Matthew Frank
matthew.frank@rwe.com

Louis Winkler
louis.winkler@nationalgrid.com

Doug Perkins
douglas.perkins@rwe.com

Pat Johnson
Patrick.Johnson@nationalgrid.com