



12 E. 49th Street | 11th Floor
New York, NY 10017

October 16, 2023

PUBLIC COPY

New Jersey Board of Public Utilities
44 South Clinton Ave
Trenton, New Jersey 08625
via: Levitan ShareFile Portal

RE: Attentive Energy LLC Response to Clarifying Questions Set 3, Received on October 6, 2023

Dear Board Staff and Levitan & Associates,

Attentive Energy LLC (“Attentive Energy”) is excited to have the opportunity to provide the New Jersey Board of Public Utilities (“BPU”) with additional information regarding its Attentive Energy Two Project (the “Project”) submission into BPU’s third offshore wind solicitation. The Project will supply the State of New Jersey with up to 1,342 megawatts (“MW”) of clean and renewable offshore wind energy, and it is expected to power more than 600,000 homes and generate up to \$12 billion in economic activity. Additionally, Attentive Energy Two will help the State prepare for the impacts of climate change and pave the way for New Jersey to achieve its greenhouse gas emissions targets while creating economic opportunities for communities statewide and prioritizing affordability for ratepayers. Attentive Energy, through Sponsors TotalEnergies and Corio, has deep global offshore development and operating experience, combined with a track record of investing in and partnering with local communities in the State through decades of respective company footprints in New Jersey. This Project will continue this track record of economic development by delivering up to 15,000 job-years for New Jersey residents.

Attentive Energy respectfully provides the following responses to BPU’s letter dated October 6, 2023 providing Clarifying Questions Set 3 for Attentive Energy’s Application submitted in response to BPU’s third offshore wind solicitation.¹

¹ Portions of this response contain confidential, proprietary, and/or commercially-sensitive information that constitute trade secrets or are submitted to the BPU by Attentive Energy as a commercial enterprise or derived from information obtained from such commercial enterprise and that if disclosed would cause substantial injury to the competitive position of such enterprise. Attentive Energy has submitted a Confidential Copy of this response that should be treated as a non-public record that is exempt from disclosure to the extent permitted under applicable laws and/or as expressly set forth in the Solicitation Guidance Document (“SGD”). Attentive Energy has also submitted a redacted version of this response that should only be released to the public to the extent permitted under applicable laws and/or as expressly set forth in the SGD. Attentive Energy’s General Counsel Murray Greene attests to the truth and accuracy of the confidential nature of the information marked as confidential in these documents. All notices or other communications regarding the confidential nature of this response should be directed to Murray Greene at murray.greene@totalenergies.com.

Executive Summary

1. Section ES-8: BPU Staff would like to pose clarifying questions directly to your proposed Tier 1 supplier partners [REDACTED]. Please provide your authorization for this direct outreach, and please provide contact information for each such proposed Tier 1 supplier partner. Board Staff will copy you on any questions posed to each of your proposed Tier 1 supplier partners. If you are not willing to authorize this direct outreach to one or more of these entities, please provide an explanation as to why in each case.

[REDACTED]

- 1. [REDACTED]
- 2. [REDACTED]
- 3. [REDACTED]
- 4. [REDACTED]

[REDACTED]

Applicant Information

2. Section 1.12.1: Please describe [REDACTED] relevant experience managing federal and state permitting for offshore wind projects.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Project Descriptions

3. Section 2.2.1: The Proposal Narrative explains the proposed [REDACTED]

[REDACTED]

- a. Please identify the specific stakeholders that have provided feedback, and provide more detail on the feedback received, including any expressed concerns.

Attentive Energy has put an emphasis on early, open, and constructive communication with the fishing community and marine stakeholders since 2018, four years before securing its Lease OCS-A 0538. Since becoming a leaseholder, Attentive Energy’s engagement continues to be based on transparency, collaboration, and safety offshore. Fishing and marine stakeholder engagement has taken many forms, including meetings with commercial and recreational fishermen in New Jersey and beyond, meetings with the U.S. Coast Guard (“USCG”) and marine-related groups [REDACTED] [REDACTED] online survey campaigns with fishermen during the pandemic, attendance at Mid-Atlantic and New England Fisheries Management Council Meetings, and multiple developer-hosted port hours. In 2019, Attentive Energy hired its first Fisheries Liaison Officer and commenced outreach guided by its Fisheries Communications Plan (“FCP”). In this same year, Attentive Energy was the first non-leaseholder participant in the [REDACTED]

[REDACTED]

[REDACTED] Today, Attentive Energy’s Fisheries Liaison Officer is based in New Jersey and continues to foster collaborative fishing community relationships.

In January 2020, Attentive Energy published the first version of its FCP. The updated FCP was provided to BOEM and published to Attentive Energy’s website in August 2022; it guides the Project’s outreach and communication with the goal of developing a collaborative relationship with the fishing community. In October 2021, Attentive Energy initiated a direct mail and online Fishing Community Survey to over 3,000 fishermen and mariners in the Bight and surrounding region. This survey

allowed Attentive Energy to initiate contact with stakeholders potentially impacted by offshore wind development within the Bight, identify concerns and the fisheries most likely to be impacted, and expand Attentive Energy’s stakeholder network. In October 2022, after securing lease rights to Lease Area OCS-A 0538, Attentive Energy updated its Fishing Community and Mariner Offshore Wind Survey to seek information specific to vessel activity in and around the Lease Area.

Attentive Energy will follow the USCG guidelines for lines of orientation and will continue engaging with New Jersey and regional fishermen, and other maritime stakeholders, such as maritime experts, consultants, and marine safety committees, to refine a Project layout that minimizes impacts on existing fishing practices and facilitates ongoing, safe access to historic fishing grounds. Attentive Energy commits to developing a Project layout, construction, and operations scheme that reduces impacts to these industries within the Project Area.

[Redacted text block]

[Redacted text block]

[Redacted text block]

Please also see Attentive Energy's response to Question 21 below.

b. Were any alternative layouts presented to stakeholder? If so, what feedback was received on the alternatives? If not, why not?

Yes, Attentive Energy has discussed alternative layouts with fishermen, mariners, and the USCG since beginning external engagement in 2018. Earlier engagements were focused on understanding broad concerns from various marine stakeholders based on vessel sizes, fishing activity, marine radar, weather, and other factors relevant to vessel operations in and around wind farms. Feedback from fishermen has been consistent that their priorities include layout pattern predictability and consistency.

[Redacted]

Please also see Attentive Energy's response to Question 21 below.

4. Section 2.7.1: Table 2-17 indicates that the

[Redacted]

[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

5. Section 2.8.2: Table 2-18 states:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Financial Analysis

6. Attachment 4-B: Regarding the projection of OREC contract revenues:

a.

[Redacted]

[Redacted]

[Redacted]

b. Has Attentive Energy estimated the one-time post-Award inflation adjustment?

Attentive Energy has reviewed the historical trend of the component indices for the inflation adjustment mechanism and commissioned independent forecasts of these indices. [Redacted]



[REDACTED]

c. If so, please provide the estimate.

Please see the response to question 6.b above.

7. Attachment 4-C: Please provide a breakout of the PBI components by type and CapEx total.

Please see Table 1 below. [REDACTED]

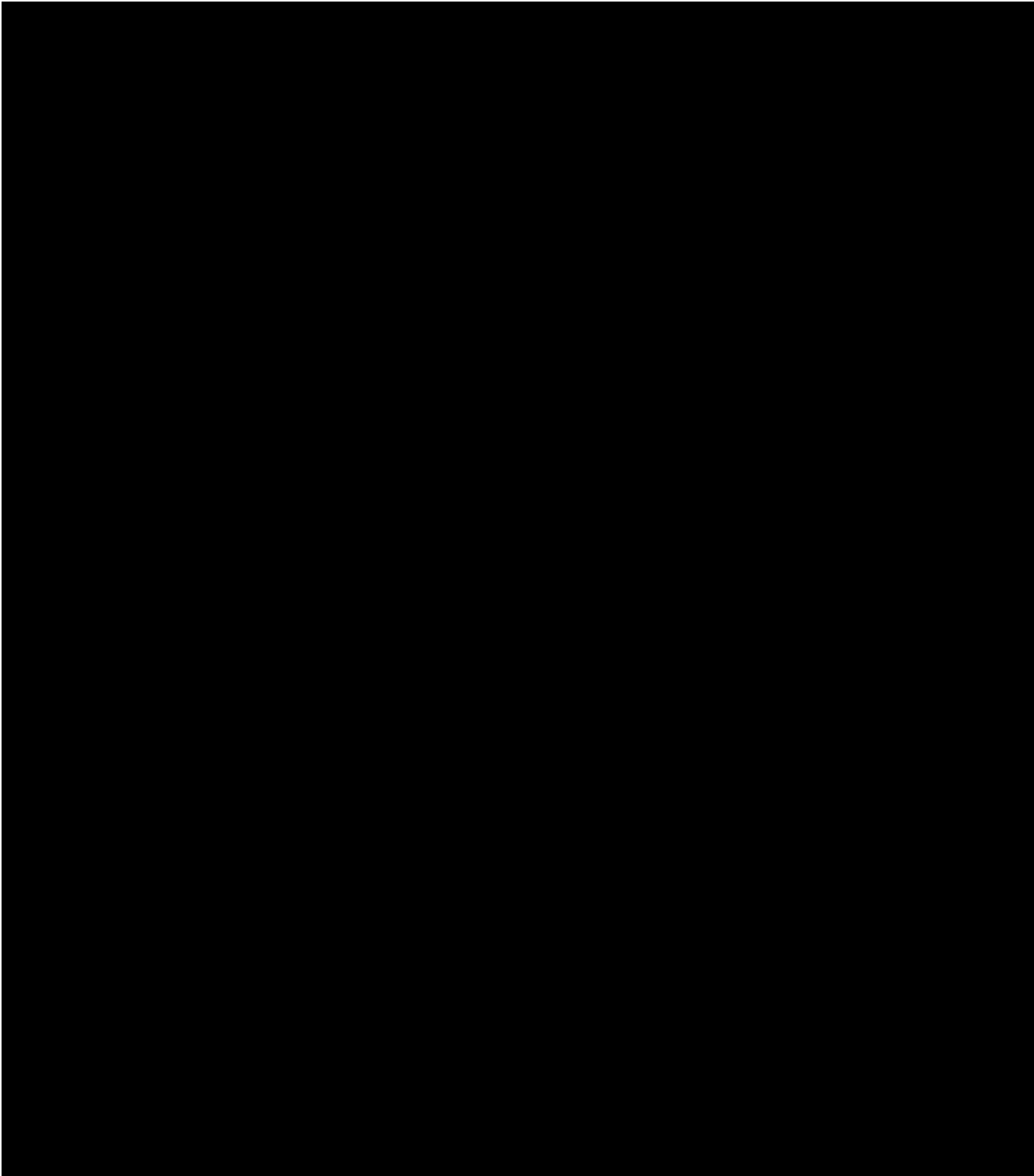
[REDACTED]

8. Attachment 4-C: Please specify the expected costs of leases associated with the PBI

[REDACTED], **including the lease rate and term for each lease.**

Attentive Energy has given immense consideration to the operational and commercial considerations associated with Prebuild and the Larrabee Collector Station. Section 13.7.3 of the Application Narrative elaborates on the proposed property rights responsibilities associated with the land parcels for the Larrabee Collector Station (“LCS”) and the Prebuild Infrastructure terminating at the Prebuild Extension Work. Attentive Energy understands that MAOD acquired and executed a land transfer at the location for the LCS (identified in Attachment 13-E to the Application) as of July 21, 2023. Attentive Energy further understands that the portion of the Prebuild Extension Work was included in MAOD’s scope of work as of June 29, 2023. [REDACTED]

[REDACTED]



² Per Third New Jersey Offshore Wind Solicitation Questions and Answers, response to Question 8: “Awarded Qualified Projects will not need to acquire land at/near the LCS for their HVDC converters. Any agreements between a Qualified Project and MOAD for land use should not involve substantial payments or fees, but there may be administrative costs to the arrangement.”

Economic Development Plan

9. Section 8.1.1: The community investments listed as part of the [REDACTED]

a. Is the list of community investments on pages 8-4 and 8-5 [REDACTED] [REDACTED]?

[Redacted text block]

[Redacted text block]

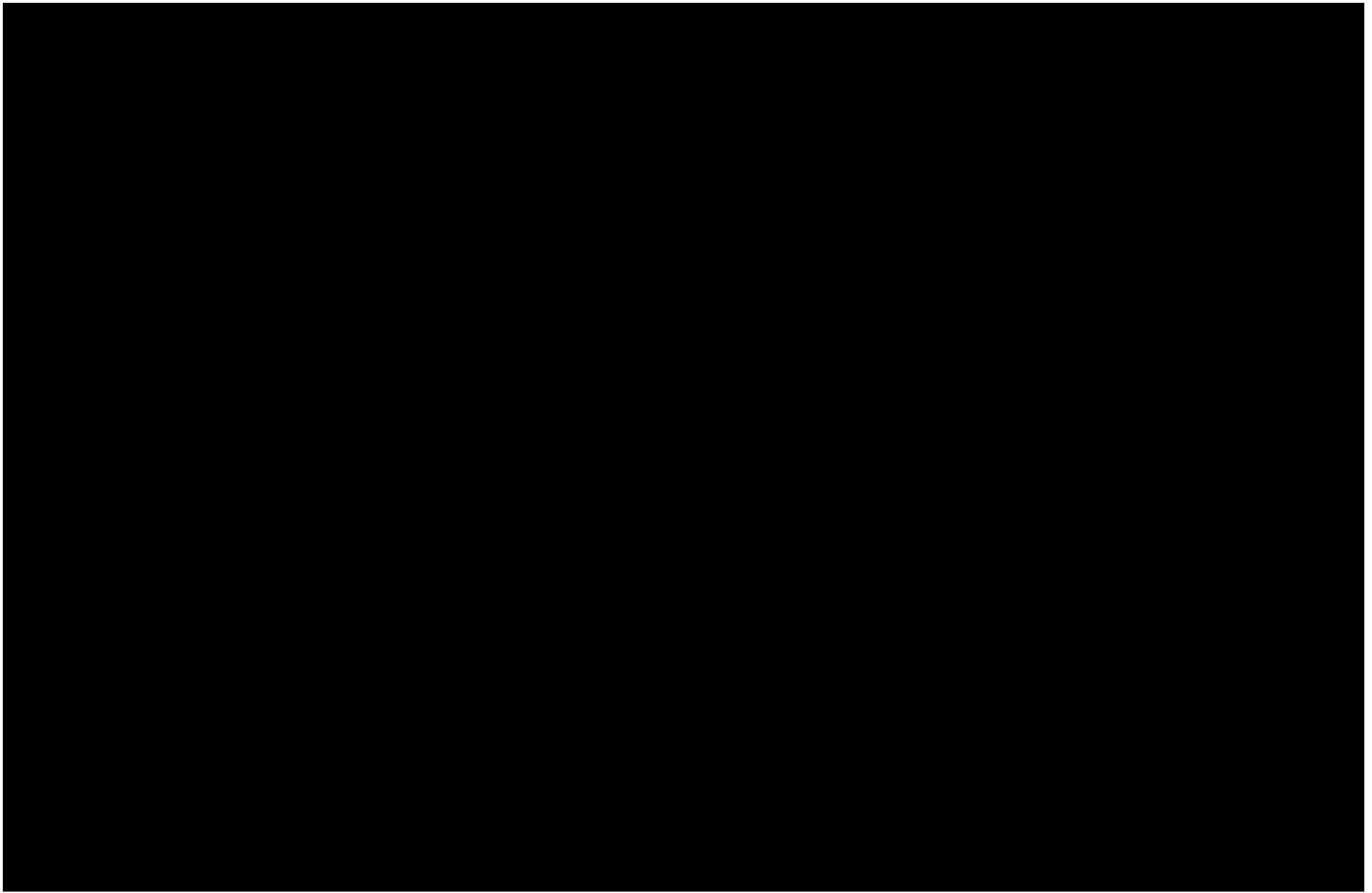
[Redacted text block]

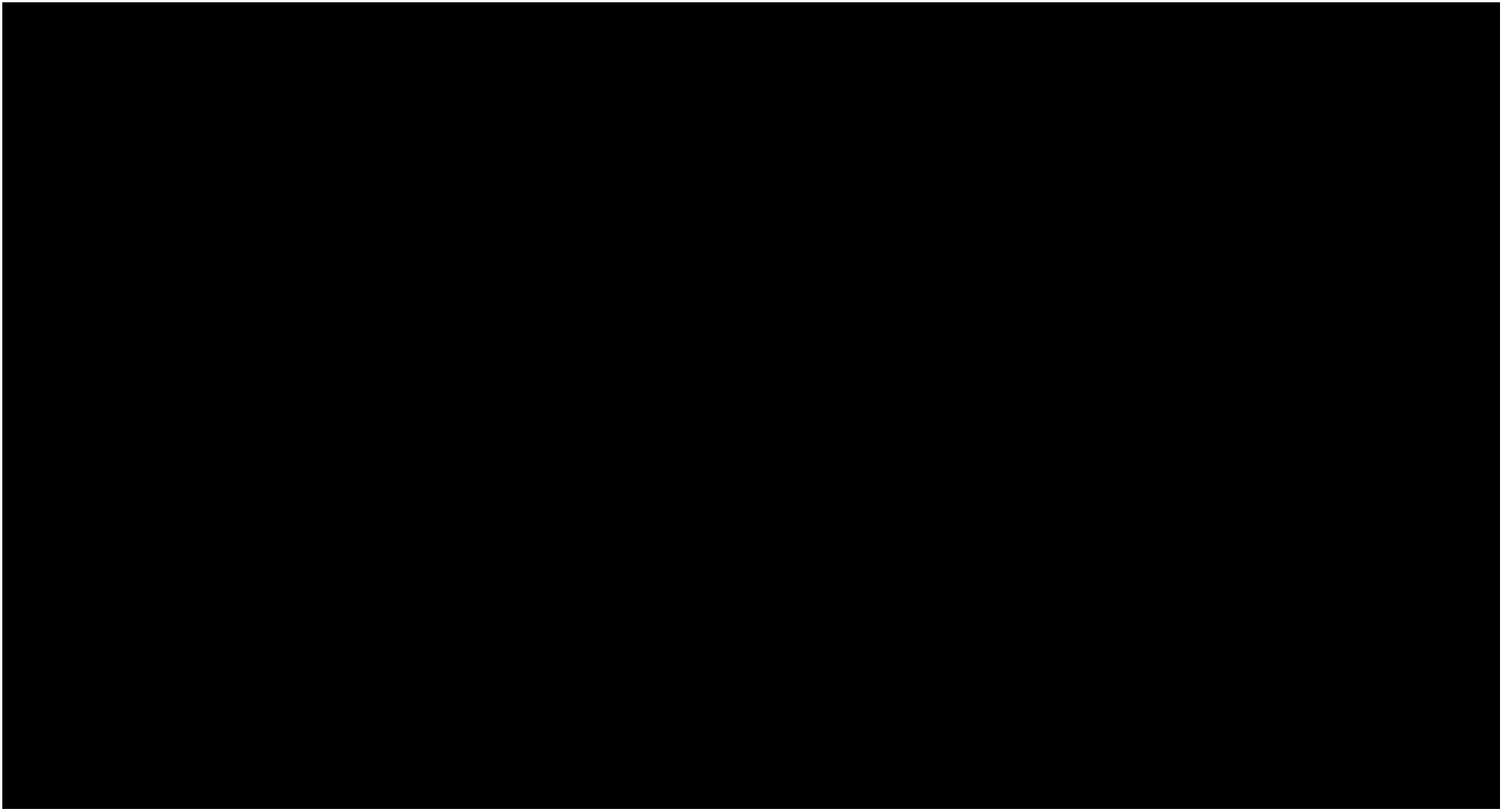
c. Please provide the equivalent of the table on page 8-26 for the [Redacted]

Please see Table 5 below. [Redacted]

[Redacted text block]

[Redacted text block]





[Redacted]

10. Section 8.1.3: Attentive Energy notes that “ [Redacted]

[Redacted]

[Redacted]

[Redacted]

11. Section 8.2.1: The Application Narrative states: [Redacted]

[Redacted]

⁴ The entire contents of these Excel files uploaded by Attentive Energy in response to this request is confidential. Attentive Energy did not provide public versions with redactions because of the nature of the attachments shared.

[Redacted text]

[Redacted text]

[Redacted text]

- [Redacted list item]

- [Redacted list item]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text block]

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[Redacted text block]

13. Section 8.10.5: Regarding Attentive Energy's targets for contracts awarded to New Jersey firms and SMWVBEs:

a. Please confirm whether the [REDACTED] targets for Development, Construction, and Operations contracts are guaranteed minimums.

[REDACTED]

b. If not, what are the guaranteed minimums that Attentive Energy will award for NJ and SMWVBE contracts?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

c. Similarly, are the Prebuild [REDACTED] targets guaranteed minimums?

[REDACTED]

d. If not, what are the guaranteed minimums for the Prebuild?

[REDACTED]

Please refer to question 13.b for information on how Attentive Energy has developed its targets and how it intends to meet or exceed these targets.

14. Section 8.11.4: Regarding Attentive Energy’s hiring targets:

a. Please confirm whether the [REDACTED] sub-target hiring target are guaranteed minimums.

[REDACTED]

b. If not, what are the guaranteed minimum commitments for NJ resident and OBC resident hiring percentages?

[REDACTED] New Jersey’s offshore wind program and accompanying infrastructure investments will result in job growth across various sectors of the State’s economy, including construction, manufacturing, and professional services, and Attentive Energy applauds the State’s prioritization of hiring New Jersey residents and residents of OBCs. Attentive Energy is committed to delivering the direct jobs that it has guaranteed in its Application and supporting an inclusive clean energy workforce.

15. Response to CQ1 Question 2(c) as submitted on September 11, 2023: This response states: “

[REDACTED]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted]

16. Response to CQ1 Question 2(d) as submitted on September 11, 2023:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

17. Response to CQ1 Question 2(e) as submitted on September 11, 2023:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

18. Response to CQ1 Question 10 as submitted on September 18, 2023: [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Environmental Protection Plan and Emissions Impacts

Attentive Energy is invested in protecting New Jersey’s natural resources, and it has designed the Project to prioritize the environmental benefits it will deliver. Attentive Energy’s Environmental Protection Plan balances the interests of responsible offshore wind energy development while protecting, and in some cases even improving, the sensitive biological resources existing in the Project Area. For the Project, Attentive Energy [Redacted]

[Redacted] Attentive Energy understands the immense value of the ecological services provided by New Jersey’s diverse nearshore and offshore waters, and to demonstrate this commitment to protecting biodiversity, [Redacted]

[Redacted]

19. Attachment 10-C: The Offshore Wind Infrastructure Monitoring Plan submitted by Attentive Energy is lacking in specificity.

a. Please provide a more detailed description of your plans with respect to methodology, scope, frequency, and duration.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted]

b. Given the lack of specificity with respect to these parameters, please explain how the infrastructure monitoring plan is manifested in the Project OREC price.

[Redacted]

20. Attachment 10-C: The Offshore Wind Infrastructure Monitoring Plan states that “Investigations into environmental monitoring equipment are in the preliminary stages and Attentive Energy will continue to build this plan based on research conclusions once fully vetted by the team.”

a. Clarify if the monitoring equipment under consideration would be solely for purpose of collecting data for the benefit of New Jersey’s Research and Monitoring Initiative and would otherwise not be needed for the baseline site characterization or to support project design.

As stated above, Attentive Energy is proposing a [Redacted]

[Redacted]

[Redacted]

[REDACTED]

b. What is the amount of the proposed investment specifically dedicated to installing monitoring equipment on project infrastructure?

[REDACTED]

[REDACTED]

[REDACTED]

c. Is the proposed incremental investment included in the Bill of Goods-Project tab in the Application Form? If so, please clarify how or where it is included.

Yes, the proposed environmental and fisheries investments are included in the Bill of Goods-Project tab in the Application Forms. [REDACTED]

[REDACTED]

Fisheries Protection Plan

Attentive Energy's Fisheries Protection Plan aims to balance the interests of responsible offshore wind energy development with those of commercial and recreational fishermen who rely on marine resources in the Project Area. [REDACTED]

[REDACTED] In 2019, Attentive Energy hired its first Fisheries Liaison Officer and commenced outreach

guided by its FCP. To facilitate at-sea communication between its survey vessels and fishermen within the Lease Area, Attentive Energy uses Onboard Fisheries Liaisons and partners with Fisheries Representatives (“FRs”) to communicate activities more effectively. Attentive Energy is an active participant in industry associations and has worked closely with state and federal agencies to develop its approach to fisheries monitoring and mitigation. Building on this engagement, Attentive Energy is forming collaborative research agreements to collect data and promote standardization across the region. [REDACTED]

21. Section 2.2.1: Regarding stakeholder outreach:

a. To what extent have stakeholders in the commercial fishing industry been apprised of Attentive Energy’s [REDACTED]

Please note that this answer is also provided in response to question 3.a as Attentive Energy is attempting to be comprehensive in its answer to both questions.

Attentive Energy has put an emphasis on early, open, and constructive communication with the fishing community and marine stakeholders since 2018, four years before securing its Lease OCS-A 0538. Since becoming a leaseholder, Attentive Energy’s engagement continues to be based on transparency, collaboration, and safety offshore. Fishing and marine stakeholder engagement has taken many forms, including meetings with commercial and recreational fishermen in New Jersey and beyond, meetings with the USCG and marine-related groups [REDACTED], online survey campaigns with fishermen during the pandemic, attendance at Mid-Atlantic and New England Fisheries Management Council Meetings, and multiple developer-hosted port hours. In 2019, Attentive Energy hired its first Fisheries Liaison Officer and commenced outreach guided by its FCP. In this same year, Attentive Energy was the first non-leaseholder participant in the [REDACTED]

[REDACTED] Today, Attentive Energy’s Fisheries Liaison Officer is based in New Jersey and continues to foster collaborative fishing community relationships.

In January 2020, Attentive Energy published the first version of its FCP. The updated FCP was provided to BOEM and published to Attentive Energy’s website in August 2022; it guides the Project’s outreach and communication with the goal of developing a collaborative relationship with the fishing community. In October 2021, Attentive Energy initiated a direct mail and online Fishing Community Survey to over 3,000 fishermen and mariners in the Bight and surrounding region. This survey allowed Attentive Energy to initiate contact with stakeholders potentially impacted by offshore wind development within the Bight, identify concerns and the fisheries most likely to be impacted, and expand Attentive Energy’s stakeholder network. In October 2022, after securing lease rights to Lease Area OCS-A 0538, Attentive Energy updated its Fishing Community and Mariner Offshore Wind Survey to seek information specific to vessel activity in and around the Lease Area.

Attentive Energy will follow the USCG guidelines for lines of orientation and will continue engaging with New Jersey and regional fishermen, and other maritime stakeholders, such as maritime experts,

consultants, and marine safety committees, to refine a Project layout that minimizes impacts on existing fishing practices and facilitates ongoing, safe access to historic fishing grounds. Attentive Energy commits to developing a Project layout, construction, and operations scheme that reduces impacts to these industries within the Project Area.

[Redacted]

[Redacted]

[Redacted]

b. Please identify the stakeholders to which Attentive Energy has conducted outreach on this topic.

Building on years of engagement, Attentive Energy’s fishing stakeholder outreach starts with a network of FRs and extends to USCG officials as described in response to question 21.a above. FRs are experienced people from the commercial and recreational fishing industries who are providing expert input, collecting feedback, and making introductions to widen Attentive Energy’s reach to inform Project development.

In 2022, Attentive Energy contracted its first New Jersey-based fisherman as a recreational FR, [REDACTED]. As of just recently, Attentive Energy finalized a commercial FR contract with New Jersey-based [REDACTED]. Both bring extensive fishing experience in New Jersey and the Bight, including in the Lease Area, to help inform the Project. Additionally, Attentive Energy has contracted [REDACTED] as a commercial FR representing the most common commercial fishing activities in and around the Lease Area from the perspective of New England-based commercial fishermen. The information provided by these FRs stems from their many years of experience working in the recreational and commercial fishing industries, and by their consistent, ongoing engagement with a large network of active fishermen. The information they are providing includes details on such things as the most active charter boat ports, commercial fishing methods, frequently fished ocean contours, and vessel navigation practices. This information is directly helping inform Attentive Energy's approach to site design and WTG layout.

In addition to engagement via the FR network, Attentive Energy has spent years engaging commercial fishing industry representatives from New England to Cape May, New Jersey. This includes individual commercial fishermen, seafood processors operating multi-boat fleets, multiple New Jersey-based charter boat fishermen, leading New Jersey-based recreational boat manufacturers, state officials, NOAA Fisheries representatives, and Mid-Atlantic Fisheries Management Council members. Additionally, Attentive Energy's Fisheries Liaison regularly participates in joint offshore wind developer port hours which serve as "open-house" style events in active fishing ports.

c. Please discuss the input and responses that Attentive Energy has solicited from stakeholders.

Please see response to question 21.a regarding stakeholder discussions [REDACTED]

d. Were any alternative layouts presented to stakeholders, and if so, what feedback was received on the alternatives? If not, why not?

Yes, Attentive Energy has discussed alternative layouts with fishermen, mariners, and the USCG since beginning external engagement in 2018. These early engagements were focused on understanding broad concerns from various marine stakeholders based on vessel sizes, fishing activity, marine radar, weather, and other factors relevant to vessel operations in and around wind farms. [REDACTED]

[REDACTED]

22. Attachment 11-A:

Please describe the locations and number of turbines where AIS will be installed. Please be as specific as possible.

Attentive Energy has been actively engaged on navigation safety topics, including lighting and marking, for years as the USCG, Federal Aviation Administration (“FAA”), and BOEM have refined guidance governing offshore wind farms. Attentive Energy’s Permitting and Development Team brings extensive federal and state permitting expertise to the Project, including over two decades of USCG experience.

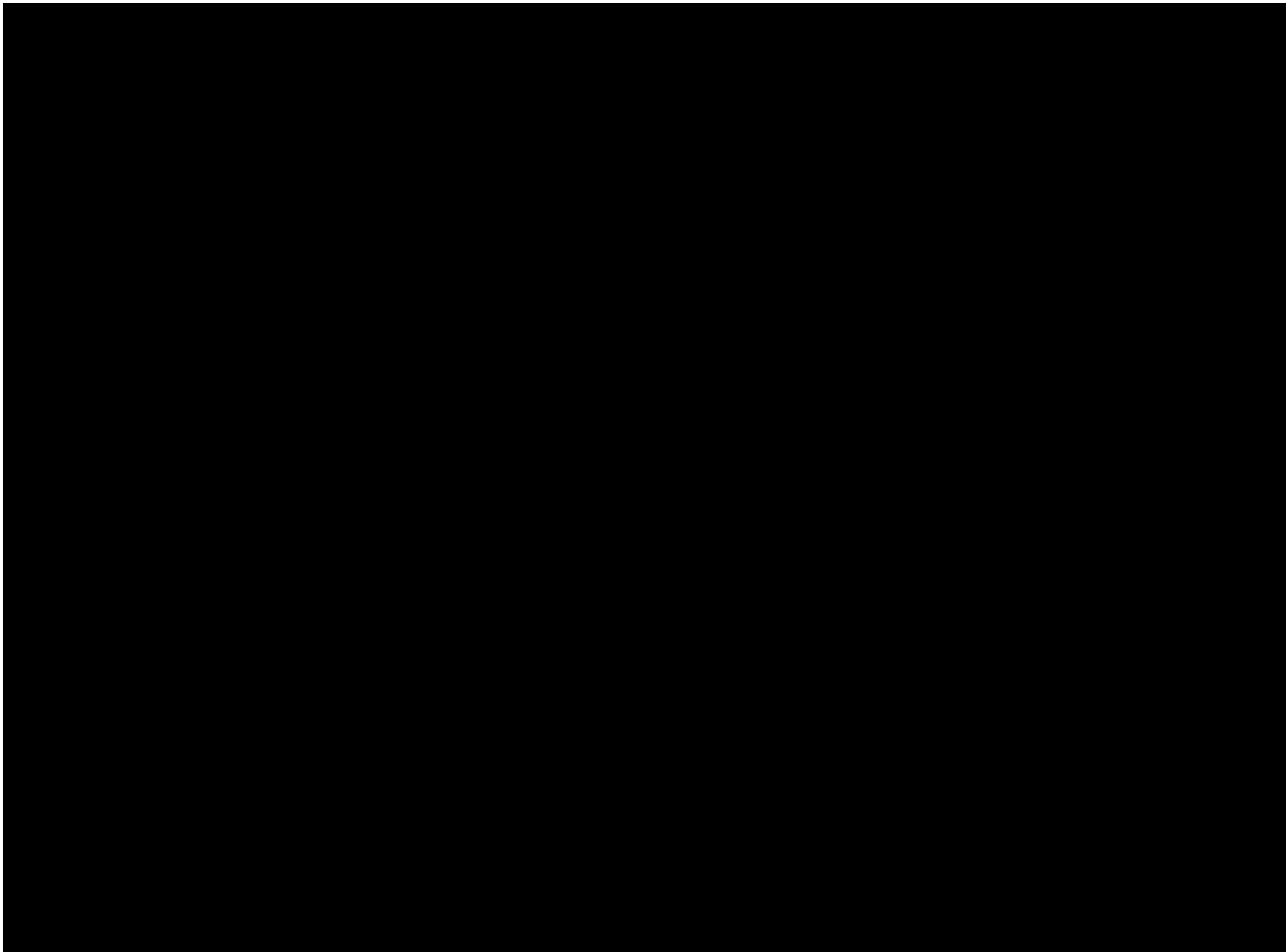
BOEM guidelines for installing AIS on turbines are contained in BOEM’s *Guidelines for Lighting and Marking of Structures Supporting Renewable Energy Development* (2021). Per the guidelines, AIS transponders should be placed on all significant peripheral structures (“SPS”) or other significant locations within the wind energy facility and should be capable of transmitting signals marking the locations of all structures within the facility. The guidelines further outline that the “transponders should be approved by USCG based on the recommendation from the respective USCG district office.”

For the Attentive Energy Two Project, the respective USCG district office is District Five in Portsmouth, Virginia. The current USCG District Five guidance on AIS transponders on WTGs, contained within the District Five Local Notice to Mariners under the Offshore Structure Private Aids to Navigation (“PATON”) Marking Guidance, states that:

- AIS transponders should be installed on each SPS, and intermediate peripheral structure (“IPS”) adjacent to a fairway or used to identify a designated vessel transit route through the farm or closely adjacent farms, shall be identified by a properly encoded AIS message 21.
- The structures may be marked with either physical or synthetic AIS message 21 as circumstances warrant; the broadcasts should be made at sufficient power to provide a relatively uniform coverage recommended to extend at least 8 nautical miles beyond the periphery of the wind farm to allow sufficient time for ship operators to detect and make any necessary course or speed alterations.
- AIS transponders should be capable of transmitting signals marking the locations of all structures within the facility.
- PATON applications, which include AIS siting plans, must be approved at the Coast Guard Headquarters level (CG-NAV) based on District Five’s recommendation.

Attentive Energy will deploy AIS within its Project in accordance with BOEM and USCG guidelines.

[Redacted]



2. **Attachment 11-A:** Page 11-A-7 states that Atlantic sea scallop and surfclam fisheries are the most economically important species currently targeted by the commercial fishing industry.

a. Has Attentive obtained any data regarding the density of surfclam dredging within the Project area?



[Redacted]

b. Is such information based on input from commercial fishing representatives, some other source(s) of data, or both?

[Redacted]

Permitting Plan

23. Section 14.1: The application states that Attentive Energy [Redacted] [Redacted] Please explain the roles and describe the expertise of [Redacted], respectively.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

24. Section 14.1: Please describe [Redacted] relevant experience with technical studies related to offshore wind projects.

[Redacted]

[Redacted]

25. Section 14.5: The application states: [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Cost-Benefit Analysis

26. Section 17.1: Please provide electronic workpapers corresponding to all benefit-cost analysis. Such workpapers should include all formulas.

Please see the two Excel files included with this transmittal titled “Confidential S17 Cost Calculations for BPU_Residential Rate Impacts” and “Confidential S17 Cost Calculations for BPU_Industrial Rate Impacts”, each of which includes formulas and descriptions for the values and calculations that feed into Attentive Energy’s cost-benefit analysis⁵.

We again thank the BPU’s Offshore Wind Team for the opportunity to address clarifications related to Attentive Energy’s Application. We look forward to supporting New Jersey and its communities as a long-term partner. If you have any additional questions or seek clarification to any of our responses, please do not hesitate to contact me at christen.wittman@totalenergies.com or (508) 272-6987.

Sincerely,



Christen Wittman
Vice President Project Development

⁵ The entire contents of this Excel file uploaded by Attentive Energy in response to this request is confidential. Attentive Energy did not provide a public version with redactions because of the nature of the attachment shared.