

July 1, 2024

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VIA E-MAIL

Ms. Sherri Golden,
Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
P.O. Box 350
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**Re: In the Matter of the Board of Public Utilities Offshore Wind Solicitation for
1,100 MW - Evaluation of the Offshore Wind Applications
BPU Docket No. QO18121289**

**In the Matter of the Petition of Ocean Wind, LLC Pursuant to N.J.S.A. 48:3-87.1(f)
for a Determination that Easements Across Green Acres-Restricted Properties and
Consents Needed for Certain Environmental Permits in, and with Respect to, the
City of Ocean City Are Reasonably Necessary for the Construction or Operation of
the Ocean Wind 1 Qualified Offshore Wind Project
BPU Dkt. No. QO22020041**

**In the Matter of the Petition of Ocean Wind LLC Pursuant to N.J.S.A. 48:3-87.1(f)
for a Determination that Certain Easements and Consents Needed for Certain
Environmental Permits in, and with Respect to, the County of Cape May Are
Reasonably Necessary for the Construction or Operation of the Ocean Wind 1
Qualified Offshore Wind Project
BPU Dkt. No. QO22050347**

Dear Ms. Golden:

This firm represents Ocean Wind LLC ("Ocean Wind") in the above referenced matters.

On June 21, 2019 in BPU Docket No. QO18121289, the New Jersey Board of Public Utilities ("Board" or "BPU") issued an Order which, *inter alia*, granted Ocean Wind Qualified Offshore Wind Project status for a 1,100 MW project. The project was thereafter referred to as the "Ocean Wind 1 project."

On September 28, 2022 in BPU Docket No. QO22020041, the Board issued an Order pursuant to N.J.S.A. 48:3-87.1(f) that approved Ocean Wind's petition seeking a determination that

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Sherri Golden, Secretary

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certain easements across Green Acres-restricted property and consents for certain environmental permits in, and with respect to, the City of Ocean City were reasonably necessary for the construction or operation of the Ocean Wind 1 project. Thereafter, on November 2, 2022, Board President Joseph Fiordaliso issue an Order on the Taking of Easements that authorized Ocean Wind to record two easements over properties owned by the City of Ocean City with the Cape May County Clerk's recording office.

On February 1, 2023, in BPU Docket No. QO22050347, the Board issued an Order pursuant to N.J.S.A. 48:3-87.1(f) that approved Ocean Wind's petition seeking a determination that certain easements and consents needed for certain environmental permits in, and with respect to, the County of Cape May were reasonably necessary for the construction or operation of the Ocean Wind 1 project. Thereafter, on March 24, 2023, Board President Joseph Fiordaliso issued an Order on the Taking of Easements that authorized Ocean Wind to record two easements over properties owned by the County of Cape May with the Cape May County Clerk's recording office.

On or about October 31, 2023, Ørsted A/S, the parent company of Ocean Wind, announced that it was ceasing the development of Ocean Wind 1. On May 25, 2024, Orsted A/S, Orsted North America Inc., Orsted Wind Power North America LLC, Ocean Wind LLC, and Ocean Wind II, LLC, the State of New Jersey and the Board entered into a settlement agreement ("Settlement Agreement") that resolved certain "Disputed Matters" as defined within the Settlement Agreement. Paragraph 4 of the Settlement Agreement provides, in relevant part:

For the avoidance of doubt, Orsted will move to vacate the Ocean Wind Orders and the Board Orders granting easements to certain real property owned by Ocean City and Cape May County to construct and operate Ocean Wind 1, and the State consents to such vacation and agrees to take all action reasonably necessary to effectuate such vacation.

Ocean Wind is therefore filing this motion, in letter form, requesting that the Board vacate the following Orders: (1) the June 21, 2019 Order in BPU Docket No. QO18121289; (2) the September 28, 2022 Order in BPU Docket No. QO22020041; (3) the November 2, 2022 Order in BPU Docket No. QO22020041; (4) the February 1, 2023 Order in BPU Docket No. QO22050347; and (5) the March 24, 2023 Order in BPU Docket No. QO22050347.

Respectfully submitted,

Cozen O'Connor



By: Gregory Eisenstark, Esq.

CC: Attached service lists
C. Porrino, Esq.

**IN THE MATTER OF THE BOARD OF PUBLIC UTILITIES OFFSHORE WIND SOLICITATION
FOR 1,100 MW – EVALUATION OF THE OFFSHORE WIND APPLICATIONS
BPU DOCKET NO.: QO18121289**

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**IN THE MATTER OF THE PETITION OF OCEAN WIND LLC PURSUANT TO N.J.S.A. 48:3-87.1(f) FOR A DETERMINATION THAT EASEMENTS ACROSS GREEN ACRES-RESTRICTED PROPERTIES AND CONSENTS NEEDED FOR CERTAIN ENVIRONMENTAL PERMITS IN, AND WITH RESPECT TO, THE CITY OF OCEAN CITY ARE REASONABLY NECESSARY FOR THE CONSTRUCTION OR OPERATION OF THE OCEAN WIND 1 QUALIFIED OFFSHORE WIND PROJECT
BPU DOCKET NO.: QO22020041**

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