

Sherri L. Golden, Secretary
NJ Board of Public Utilities
44 South Clinton Avenue, 9th Floor
PO Box 350
Trenton, NJ 08625-0350

January 10, 2025

**RE: IN THE MATTER OF THE OPENING NEW JERSEY'S THIRD SOLICITATION FOR OFFSHORE
WIND RENEWABLE ENERGY CERTIFICATES (ORECs)
LEADING LIGHT WIND PROJECT
Docket No. QO22080481**

Dear Madam Secretary:

On January 24, 2024 the Board awarded a contract for ORECs to Invenergy Offshore Wind for 2400 MW of capacity from the Leading Light Wind project¹. On September 25, 2024 the Board issued an order² granting a motion for stay of the Leading Light Wind order until December 20, 2024. This order and stay effectively paused by five months the enforcement of the terms of the original OREC award, including the required compliance filing and financial guarantees due on July 20, 2024.

Invenergy has now filed a further motion³ to extend the stay already granted by an additional five months until May 25, 2025. We object to this or any further stay of the Board's order for Leading Light Wind for the following reasons:

- The Board incorporated requirements into its Third Solicitation award orders for compliance filings and posting of financial guarantees within 180 days and 1 year of the award date, in order to ensure that the projects were completed as proposed without undue delay in the economic benefits proposed by the developers. To delay these deadlines by five months and then extend them to ten months would make a mockery of the process by which the Board holds developers accountable for meeting their contractual and financial commitments.
- In its comments on the initial stay motion⁴, Rate Counsel has raised concerns with the impact of such post-award modifications on the competitive solicitation process, stating that "The Board's indulgence of post-award modifications for bids has fostered an environment where promises made as part of a bid are not binding, which erodes the goals of a competitive solicitation process and is detrimental to ratepayers who will ultimately be the ones asked to pay for the ORECs awarded pursuant to these solicitations". We agree that the granting of stays as in this case encourages developers without firm supply chain commitments to submit bids in the expectation that the Board

¹ Order dated January 24, 2024, Docket QO22080841.

² Order dated September 25, 2024, Docket QO22080841

³ Letter from Colleen A Foley, Saul Ewing to Board Secretary, December 19, 2024.

⁴ Rate Counsel Comments dated August 8, 2024, Docket QO22080481,

will allow more time post-award to allow them to seek viable suppliers or withdraw bids if unsuccessful. This does not ensure robust and impartial competition which would benefit ratepayers.

- A further five month stay introduces uncertainty regarding whether the 2400 MW assigned to Leading Light Wind will in fact proceed. This throws the consideration of bids in the pending Fourth Solicitation into doubt as to how much capacity should be awarded and at what price to ratepayers, to their likely detriment.
- Invenergy requested the initial five month stay in order to seek a viable turbine supplier on acceptable commercial terms. It now seeks another five month delay without offering any assurance that it will be successful. Indeed, nothing has changed in the global offshore wind turbine supply chain situation to lead one to believe that they will in fact resolve this issue in a manner allowing them to meet their internal investment criteria.

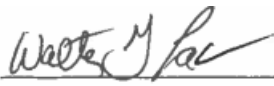
We the undersigned therefore strongly object to the granting of any further stay of the Board’s January 24, 2024 order. Invenergy must comply with the terms of the order, including the required compliance filing, which is now overdue, or formally notify the Board that it is withdrawing from the award and cancelling the Leading Light Wind project.

Coalition Signatories:

Atlantic County

Commissioners	Clark	Lavalette	North Hanover	Stafford Twp
AC Councilman	Elk Twp	LBT10 Taxpayers	Pemberton	Stop High Risk Cables
Barnegat Twp	Florence	Little Egg Harbor	Plumsted	Surf City
Barnegat Light	Florham Park	Long Beach Twp	Protect Our Coast-LINY	Totowa
Bay Head	Hainesport	Mahwah	Point Pleasant Boro	Ventnor
Beach Haven	Harvey Cedars	Manasquan	Raritan Twp	Wallington
Beachwood	Hawthorne	Mantoloking	Sea Girt	Wall Twp
Berkeley Twp	Howell	Margate	Seaside Heights	Washington Twp
Brick Twp	Jackson	Millville	Seaside Park	Wildwood Crest
Brielle	Kenilworth	North Arlington	Ship Bottom	Wyckoff
Brigantine	Keyport			

Signatures:



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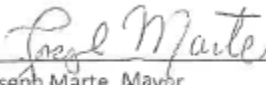
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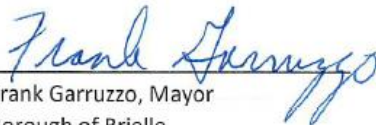
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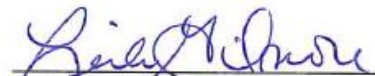
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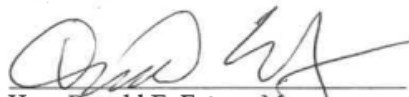



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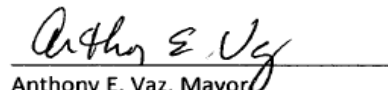



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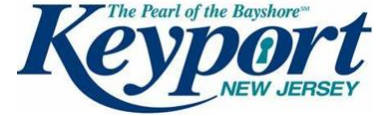
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On behalf of the Washington Township Committee



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