



designed to lead to more efficient and cost-effective incorporation of OSW generation into PJM's grid while avoiding transmission-related delays.

## **BACKGROUND**

The Board has long recognized that limits on the existing transmission system, as well as the challenges associated with expanding or replacing transmission facilities, represent a major source of cost uncertainty and potential risk of delays in meeting the State's OSW goals. The State's OSW goals were initially set forth in Governor Murphy's Executive Order No. 8, which directed the Board to take "all necessary actions . . . to promote and realize the development of wind energy off the coast of New Jersey to meet a goal of 3,500 megawatts of offshore wind energy generation by the year 2030."<sup>5</sup> In 2019, Governor Murphy signed Executive Order 92, which increased the State's OSW goal to 7,500 MW by 2035.<sup>6</sup>

In 2019, the New Jersey Legislature enshrined the concept of an "open access offshore wind transmission facility" into State law as meaning "an open access transmission facility, located either in the Atlantic Ocean or onshore, used to facilitate the collection of offshore wind energy or its delivery to the electric transmission system in this State."<sup>7</sup> Further, the Legislature provided the Board the authority to "conduct one or more competitive solicitations for open access offshore wind transmission facilities designed to facilitate the collection of offshore wind energy from qualified offshore wind projects or its delivery to the electric transmission system in this State."<sup>8</sup>

The 2019 Energy Master Plan ("EMP") explained how "planned transmission to accommodate the state's offshore wind goals provides the opportunity to decrease ratepayer costs and optimize the delivery of offshore wind generation into the state's transmission system."<sup>9</sup> The EMP further stated that "[c]oordinating transmission from multiple projects may lead to considerable ratepayer savings, better environmental outcomes, better grid stability, and may significantly reduce permitting risk."<sup>10</sup> The EMP directed that the Board "should endeavor to collaborate with PJM to ensure that transmission planning and interconnection rules accommodate [offshore wind] resources."<sup>11</sup> Also included in the EMP is a recognition that transmission must be planned and that the Board must exercise its regulatory authority to "actively engage in transmission planning."<sup>12</sup> The same week that Governor Murphy issued the EMP, he also signed legislation authorizing the Board to conduct one or more competitive solicitations for open access OSW transmission facilities.<sup>13</sup>

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<sup>5</sup> Exec. Order No. 8, 50 N.J.R. 887(a) (Feb. 20, 2018) ("EO 8").

<sup>6</sup> Exec. Order No. 92, 51 N.J.R. 1817(b) (Dec. 16, 2019) ("EO 92").

<sup>7</sup> N.J.S.A. 48:3-51.

<sup>8</sup> N.J.S.A. 48:3-87.1.

<sup>9</sup> 2019 New Jersey Energy Master Plan: Pathway to 2050, Goal 2.2.1, at 117, available at [https://nj.gov/emp/docs/pdf/2020\\_NJBPU\\_EMP.pdf](https://nj.gov/emp/docs/pdf/2020_NJBPU_EMP.pdf).

<sup>10</sup> Id.

<sup>11</sup> Id.

<sup>12</sup> Id., EMP, Goal 5.2.1, at 182.

<sup>13</sup> N.J.S.A. 48:3-87.1(e).

On November 12, 2019, Board Staff (“Board Staff” or “Staff”) held an OSW transmission Technical Conference (“Technical Conference”) to solicit input from stakeholders on transmission considerations and solutions.

On March 27, 2020, the Board authorized a contract with Levitan & Associates, Inc. (“LAI”) to prepare an OSW transmission study (“Transmission Study”). In order to inform the study, on June 26, 2020, the Board issued a Notice of Information Gathering on OSW transmission options.<sup>14</sup> LAI completed the Transmission Study in December 2020 and concluded that a coordinated transmission approach would provide significant benefits.

In addition to the recommendations of the EMP, the factual record developed during the Technical Conference, and the development of the Transmission Study, the Board’s Offshore Wind Strategic Plan (“Strategic Plan”) stated that “[i]nvestments in planning and infrastructure are necessary to build the transmission infrastructure and regional markets needed for OSW energy to support a clean energy future.”<sup>15</sup> Specifically, the Strategic Plan recommended that meeting New Jersey’s 7,500 MW goal of OSW energy requires “[c]ollaborat[ing] with PJM, as set forth in the New Jersey Energy Master Plan, to assure transmission infrastructure accommodates renewable energy such as offshore wind.”<sup>16</sup> The Strategic Plan also recommended “[w]ork[ing] with PJM and local utilities to develop a grid transmission study to integrate 7,500 MW of OSW energy by 2035.”<sup>17</sup>

In September 2022, Governor Murphy issued Executive Order No. 307, which expanded New Jersey’s OSW procurement goal to 11,000 MW of OSW generation by 2040.<sup>18</sup>

### **Background on PJM’s State Agreement Approach:**

In its landmark Order No. 1000, the Federal Energy Regulatory Commission (“FERC”) directed each of its jurisdictional regional grid operators to “describe procedures that provide for the consideration of transmission needs driven by Public Policy Requirements in the regional transmission planning processes.”<sup>19</sup>

In PJM, the transmission planning process is known as the Regional Transmission Expansion Plan (“RTEP”). The RTEP planning process runs in multiple “windows” each year, and can result in the construction of new transmission facilities that improve economic efficiency or system

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<sup>14</sup> In the Matter of the New Jersey Offshore Wind Transmission, BPU Docket No. QO20060463, Notice of New Jersey Offshore Wind Transmission, Information Gathering ( June 26, 2020), available at [https://publicaccess.bpu.state.nj.us/CaseSummary.aspx?case\\_id=2109297](https://publicaccess.bpu.state.nj.us/CaseSummary.aspx?case_id=2109297).

<sup>15</sup> New Jersey Offshore Wind Strategic Plan (“Strategic Plan”), at 77 (Sept. 2020), available at [https://www.nj.gov/bpu/pdf/Final\\_NJ\\_OWSP\\_9-9-20.pdf](https://www.nj.gov/bpu/pdf/Final_NJ_OWSP_9-9-20.pdf).

<sup>16</sup> Id. at 78.

<sup>17</sup> Id.

<sup>18</sup> EO 307.

<sup>19</sup> Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities, Order No. 1000, 136 FERC ¶ 61,051 at P 203 (2011), order on reh’g, Order No. 1000-A, 139 FERC ¶ 61,132, order on reh’g, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), aff’d sub nom. S. C. Pub. Serv. Auth. v. FERC, 762 F.3d 41 (D.C. Cir. 2014) (“Order No. 1000”).

operations, meet reliability needs, or, upon request by a state, to meet state-mandated public policy requirements.<sup>20</sup>

Subsequently, in addition to its compliance with FERC Order No. 1000, PJM developed an alternative route for states to plan transmission expansion around public policy needs and incorporated the SAA into its Operating Agreement:

State governmental entities authorized by their respective states, individually or jointly, may agree voluntarily to be responsible for the allocation of all costs of a proposed transmission expansion or enhancement that addresses state Public Policy Requirements identified or accepted by the state(s) in the PJM Region. As determined by the authorized state governmental entities, such transmission enhancements or expansions may be included in the recommended plan ... as a . . . state public policy project, which is a transmission enhancement or expansion, the costs of which will be recovered pursuant to a FERC-accepted cost allocation proposed by agreement of one or more states and voluntarily agreed to by those state(s).<sup>21</sup>

In proposing the SAA, PJM explained that the SAA “provides a vehicle for states to propose: (i) a state public policy project to PJM for inclusion in the RTEP, the costs of which shall be recovered from the customers in the states proposing the project.”<sup>22</sup>

### **Background on SAA 1.0:**

On February 17, 2021, the Board authorized a contract with The Brattle Group (“Brattle”) to provide consulting services for SAA 1.0. Board Staff, together with PJM and Brattle, developed a solicitation for proposals from transmission developers for transmission components, including upgrades to the onshore PJM transmission system to accommodate the increased power flows from the OSW facilities; permitting and constructing the beach crossings and connecting new or existing onshore substations to new offshore collector stations; and connecting different offshore collector stations, serving various Bureau of Ocean Energy Management OSW lease areas (“Lease Areas”), in an effort to network the Lease Areas.

The SAA 1.0 solicitation process resulted in transmission developers proposing projects to be completed over the next 12 years. This transmission build-out was intended to meet New Jersey’s goal of facilitating the delivery of a total of 7,500 MW of OSW, the goal under EO 92 that was in place at the outset of SAA 1.0, to New Jersey consumers (including the 1,100 MW of OSW awarded in the Board’s first solicitation, as well as any awards made in the second solicitation<sup>23</sup>)

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<sup>20</sup> Additional background on the RTEP process is available from PJM See PJM, RTEP: Planning for Long-Term Transmission Needs, available at

<https://www.pjm.com/~media/about-pjm/newsroom/fact-sheets/rtep-fact-sheet.ashx#:~:text=PJM%20planners%20continuously%20analyze%20the,help%20ensure%20the%20system%20meets.>

<sup>21</sup> PJM, Operating Agreement, Schedule 6, Section 1.5.9(a).

<sup>22</sup> Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities, PJM Compliance Filing, Docket No. ER13-198, 38-39 (October 25, 2012).

<sup>23</sup> On September 9, 2020, the Board issued a solicitation for 1,200 to 2,400 MW of offshore wind generation projects (“Second Solicitation”). In the Matter of the Opening of Offshore Wind Renewable Energy

over the expected life of the OSW projects.<sup>24</sup> Consistent with Staff's recommendation that the State initiate a competitive solicitation process run by PJM, Staff worked with PJM to include the State's OSW public policy requirement in an RTEP window which was opened in April 2021. Pre-qualified transmission developers submitted competitive transmission proposals to PJM by the close of the NJ SAA RTEP window on September 17, 2021, which provided detailed route lines, cost, delivery dates, proposals to phase construction, and other project details.

At the close of the SAA 1.0 proposal window, PJM received 80 project proposals from 13 different applicants. After a thorough review by Board Staff, PJM, and Brattle, the Board awarded a series of projects to construct the onshore transmission facilities necessary to successfully deliver 7,500 MW of OSW to New Jersey customers.<sup>25</sup> The savings New Jersey ratepayers will realize from the selection of these transmission projects were estimated to be approximately \$900 million, compared to the estimated cost of transmission facilities that otherwise would be necessary to achieve New Jersey's 7,500 MW OSW energy goal in the absence of the SAA solicitation.

In the SAA 1.0 Order, the Board and Board Staff committed to continue efforts to ensure OSW energy can be brought to New Jersey customers as cost efficiently as possible, while reducing environmental and community impacts and maintaining safe and reliable electric service.<sup>26</sup> To that end, in the SAA 1.0 Order, the Board directed Staff to begin the necessary preliminary steps to support a future SAA process to enable the transmission of New Jersey's new goal of 11,000 MW of OSW energy generation to occur in a coordinated manner, for the benefit of ratepayers.<sup>27</sup>

### **STAFF RECOMMENDATION FOR SAA 2.0**

Staff recommends that the State initiate a second competitive transmission solicitation process to examine whether an integrated suite of open access transmission facilities designated to support

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Certificate (OREC) Application Window for 1,200 to 2,400 Megawatts of Offshore Wind Capacity in Furtherance of Executive Order No 8 and Executive Order No. 92, BPU Docket No. QO20080555, Order dated September 9, 2020. On June 30, 2021, the BPU approved applications for a 1,509.6 MW project submitted by Atlantic Shores Offshore Wind Project 1, LLC<sup>17</sup> and a 1,148 MW project submitted by Ocean Wind II, LLC, as well as a 1,148 MW project submitted by Ocean Wind II, LLC. See In the Matter of the Board of Public Utilities Offshore Wind Solicitation 2 for 1,200 to 2,400 MW – Atlantic Shores Offshore Wind Project 1, LLC, BPU Docket No. QO21050824, Order dated June 30, 2021 (“Atlantic Shores 1 June 2021 Order”); In the Matter of the Board of Public Utilities Offshore Wind Solicitation 2 for 1,200 to 2,400 MW – Ocean Wind II, LLC, BPU Docket No. QO21050825, Order dated June 30, 2021 (“Ocean Wind II June 2021 Order”).

<sup>24</sup> In September 2018, the Board issued a solicitation for 1,100 MW of offshore wind energy generation (“First Solicitation”). See In the Matter of the Opening of Offshore Wind Renewable Energy Certificate (OREC) Application Window for 1,100 Megawatts of Offshore Wind Capacity in Furtherance of Executive Order No. 8, BPU Docket No. QO18080851, Order dated September 17, 2018 (“Sept. 17, 2018 Order”). In June 2019, the Board approved an application for a 1,100 MW offshore wind generation project submitted by Ocean Wind LLC. See 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, Order dated June 21, 2019 (“June 21, 2019 Order”).

<sup>25</sup> October 2022 Order, 70-73, Appendix A: Selected Projects.

<sup>26</sup> Id., at 2.

<sup>27</sup> Id., at 73.

the delivery of OSW, both onshore and potentially offshore, could best facilitate meeting the State's expanded OSW goals in an economically efficient and timely manner.

As noted above, the competitive solicitation process would be run by PJM, on the Board's behalf, in parallel to PJM's integrated RTEP process. The Board's rights and obligations would be detailed in future agreements between the Board and PJM that will be filed with FERC, and enforced through the SAA 2.0, comparable to the PJM service agreements filed and accepted by FERC on February 16, 2021 ("SAA Study Agreement")<sup>28</sup> and April 14, 2022 ("SAA Agreement").<sup>29</sup> Staff continues to believe that such a coordinated and planned approach could:

- Result in more efficient or cost-effective transmission solutions versus a non-coordinated transmission planning process;
- Significantly reduce the risks of permitting and construction delays resulting from a non-coordinated approach; and
- Minimize environmental impacts associated with onshore and potentially offshore upgrades.

In making this recommendation, Staff notes that there are several safeguards in place to protect New Jersey ratepayers.

*First*, Staff notes that the authorization it recommends today does not include authorization from the Board for PJM to move forward with a potential project identified in the SAA process. Instead, it authorizes PJM to incorporate New Jersey's needs into its transmission planning process and solicit ideas from transmission developers on how best to meet the State's needs. Once projects are proposed through the SAA 2.0 solicitation, the SAA allows the Board to evaluate the proposals in concert with PJM. Only after full consideration of the proposals will the Board be asked to commit New Jersey consumers to funding if the Board selects any of the proposed projects considered in SAA 2.0. Alternatively, the Board may elect to terminate the process and not select any of the proposed projects considered in SAA 2.0. There are no financial obligations associated with any step before the final decision of the Board, should the Board determine to move forward with one (1) or more of the proposed solutions arising from the New Jersey SAA process associated with SAA 2.0.

*Second*, Staff notes that PJM's RTEP rules contain extensive protections for ratepayers, including cost containment options and the ability to incorporate phased implementation of any transmission upgrades.<sup>30</sup> These provisions allow the State and PJM to consider such items as the financial strength of any construction scheduling commitments and the developer's incorporation of voluntary cost caps into their RTEP bids. PJM considers voluntarily-submitted binding cost commitments when evaluating project proposals submitted in PJM's competitive

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<sup>28</sup> PJM Interconnection, L.L.C., SAA Study Agreement, 174 FERC ¶ 61,090 (Feb. 16, 2021).

<sup>29</sup> PJM Interconnection, L.L.C., SAA Agreement, Rate Schedule 49, 179 FERC ¶ 61,024 (April 14, 2022), *reh'g denied*, 179 FERC ¶ 62,131 (June 13, 2022). In January 2023, the Board and PJM agreed to amend and restate the SAA Agreement to detail project-specific information about the projects selected by the Board through SAA 1.0. See PJM Interconnection, L.L.C., Docket No. ER23-775-000, Amended and Restated SAA Agreement, Rate Schedule 49 (March 6, 2023).

<sup>30</sup> PJM Interconnection, LLC, Open Access Transmission Tariff and PJM Interconnection, LLC, Operating Agreement.

proposal window process.<sup>31</sup> PJM's consideration of such cost commitments is intended to help deliver benefits to consumers. Staff notes that such legally binding commitments and other forms of cost-risk mitigation are likely to weigh heavily on whether a pro-active, integrated transmission solution may be the more efficient or cost-effective means to reach New Jersey's OSW goals.

*Third*, Staff anticipates that the Board may have to address concerns regarding the transfer of commercial risk between transmission developers and generation developers prior to approving a final coordinated transmission solution that may result from SAA 2.0. Staff encourages entities bidding into the SAA 2.0 process to consider how their submitted cost caps and other binding obligations may relate to the interconnection of qualified OSW generation projects. Staff intends to facilitate further discussions on this topic. Innovative proposals that address the unique commercial risks associated with delays in the construction of transmission facilities, on the one hand, or delays associated with construction of the OSW generation projects, on the other, should also be pursued.

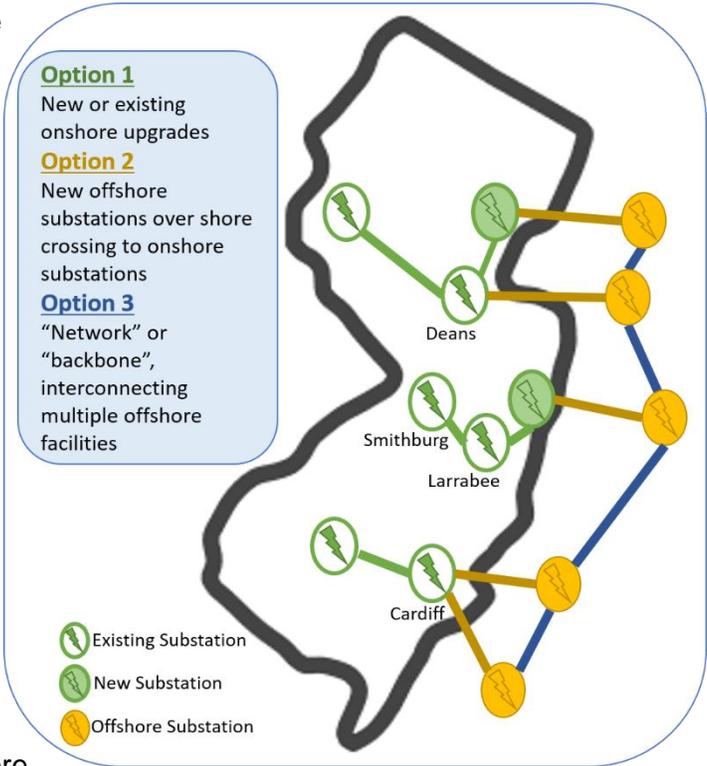
Staff recommends that the Board direct PJM to seek potential transmission solutions for three (3) inter-related components of an open access OSW transmission system, as shown schematically in the chart below. Staff notes that the diagram below is an illustration of potential options and is not intended to suggest specific outcomes or designs:

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<sup>31</sup> See PJM Interconnection, L.L.C., 170 FERC ¶ 61,243, order on reh'g, 173 FERC ¶ 61,090 (2020) (accepting an amendment to PJM's Operating Agreement that would allow it to review and analyze voluntary cost commitments); PJM Operating Agreement, Sections 1.5.8(c)(2) and 1.5.8(e) of Schedule 6.

Option #1: PJM Grid to Onshore Substations (Green):

- This option would upgrade the onshore PJM regional transmission system to accommodate the increased power flows from the OSW facilities.
- Under this option, OSW developers would continue to be responsible for getting the power from the Lease Areas to the newly constructed or existing onshore substations.
- Solutions may include coordinated onshore “power corridors” that would bring electricity to already-existing high-voltage transmission facilities.



Option #2: Onshore Substations to Offshore Substations (Yellow):

- This option would involve soliciting bids from transmission developers to permit and construct the shore crossings and connect the (new or existing) onshore substations to new (wet) offshore substations.<sup>32</sup>
- If selected, it would be possible that this Option #2 could be selected in addition to Option #1, and OSW developers would be responsible for interconnection to the offshore substations.

Option #3: Offshore Transmission “Backbone” (Blue):

- This option would connect different offshore substations, serving various Lease Areas, in an effort to network the Lease Areas.
- This option could result in network interties between offshore substations, potentially improving availability, and could also involve bids that include Option #1 or Option #2.<sup>33</sup>

<sup>32</sup> A “shore crossing” is the specific part of the cable route which brings the transmission cables from the ocean onto land at the New Jersey shoreline.

<sup>33</sup> An “intertie” permits the passage of an electric current between two or more systems.

In order to most efficiently accommodate the flow of power from the additional 3,500 MW of planned OSW transmission (representing the increase from the State's OSW goal of 7,500 MW to 11,000 MW), Staff recommends that the Board requests PJM to plan for injections of power into the Deans 500 kV substation on the PJM system between 2032 and 2040, as follows:

3,500 MW at the Deans 500 kV substation in Northern New Jersey.

Staff recommends the Deans 500 kV substation because it: 1) is located near high electric load centers; 2) is accessible to the Lease Areas that are likely to service New Jersey; and 3) was previously identified by PJM as having available capability to potentially accommodate the desired injection. While Staff recommends that the Board identify the Deans 500 kV substation as the most likely location on the PJM system that will need reinforcement to accommodate the additional 3,500 MW of OSW, Staff also recommends that the Board invite transmission developers to propose particularly cost-effective alternative points of interconnection that may still meet the State's policy goals. Staff also recommends that the Board authorize the President to execute appropriate study agreements with PJM to memorialize these elections, consistent with this Board Order.

Staff notes that the exploration of coordinated transmission alternatives through SAA 2.0 does not impact how previously-awarded OSW projects intended to achieve the initial 7,500 MW interconnect into the PJM system. Those projects will interconnect as delineated in the applicable Board Orders approving qualified OSW transmission projects. Staff recommends that the Board clarify that there is no change to the approach for the projects injecting a total of 7,500 MW into the electric transmission system in New Jersey, and that incorporation of any OSW coordinated transmission solution as a result of the SAA 2.0 process will be exclusively for projects injecting the additional 3,500 MW needed to achieve the state's current OSW goal of 11,000 MW.

Finally, Staff recommends that the Board work with other East Coast states that have OSW programs and gauge their interest in coordinating on a regional OSW transmission solution, up to and including a regional OSW "backbone" transmission system. While Staff recommends the Board initiate SAA 2.0 as a New Jersey-only effort, Staff also recommends that the Board accelerate discussions with other states and federal stakeholders in this important area, and Staff will propose modifications to this Order if necessary to advance a regional OSW transmission solution.

### **DISCUSSION AND FINDINGS**

The Board agrees with Staff's recommendation that it formally designate a coordinated open access OSW transmission solution as a public policy of the State of New Jersey. The Board **DIRECTS** Staff to work with PJM through the SAA to initiate the Second SAA public competitive solicitation process to examine whether an integrated suite of transmission upgrades, both onshore and potentially offshore, and through one (1) or more solicitations, could result in a more efficient or cost-effective means of meeting the State's OSW goals and decreasing the chance of delays.

The Board's authority to work with PJM through the SAA process is clearly delineated in New Jersey law. In 2019, the State Legislature specifically authorized the Board to "conduct one or more competitive solicitations for open access offshore wind transmission facilities designed to facilitate the collection of offshore wind energy from qualified offshore wind projects or its delivery

to the electric transmission system in this State” separate from the underlying OSW generation solicitation.<sup>34</sup>

In light of the foregoing description of the potential benefits of a coordinated transmission approach as set forth above, the Board **HEREBY DECLARES** that it is the public policy of the State of New Jersey to utilize the SAA included in PJM’s Operating Agreement. The Board **HEREBY AUTHORIZES** PJM to include options for an open access offshore transmission facility into a future NJ SAA RTEP solicitation window, as agreed to by PJM and Board Staff. The Board further **AUTHORIZES** the President to execute the study agreement with PJM, consistent with terms of this Board Order.

The Board **HEREBY APPROVES** the Deans 500 kV substation designation recommended by Staff as the preferred point of interconnection that will facilitate the additional injection of 3,500 MW to achieve a total of 11,000 MW of OSW in the most efficient manner for New Jersey ratepayers. The Board **DIRECTS** PJM to utilize the Deans 500 kV substation facility in its transmission planning process. Notwithstanding the foregoing, the Board also **HEREBY INVITES** transmission developers to propose particularly cost-effective alternatives that may still meet the State’s immediate policy goals.

The Board **HEREBY ORDERS** that any project selected in the SAA 2.0 process would be a “state public policy project” and that all costs of any project or projects eventually selected would be recoverable from customers in the State according to a FERC-accepted cost allocation that is agreed to by the Board; provided that any State or private entities wishing to partner with New Jersey in the future would be expected to bear a pro rata share of any development and operating costs.

The Board also **HEREBY DECLARES** that using the SAA 2.0 process will have no impact on the Qualified Offshore Wind Projects<sup>35</sup> that have been awarded, or that will be awarded up to a total of 7,500 MW.

The Board **FURTHER HEREBY ORDERS** that no assignment of costs is authorized until such time, if any, that the Board evaluates the outcome of the SAA process and affirmatively agrees to bind the New Jersey ratepayers to pay for any transmission expansion pursuant to the Second SAA.

The Board recognizes the valuable input received from all stakeholders throughout the SAA 1.0 process. In order for the Second SAA process to be similarly informed by stakeholders, the Board **HEREBY DIRECTS** Staff to prepare an SAA 2.0 Solicitation Guidance Document (“SAA 2.0 SGD”) that will include details regarding the solicitation components and the proposal evaluation process, and to issue a draft SAA 2.0 SGD for public comment in order to inform the development of the final SAA 2.0 solicitation.

Further, given the regional interest<sup>36</sup> in OSW, the Board **HEREBY DIRECTS** Staff to accelerate engagement with other states, regional grid operators, federal regulators, and other interested stakeholders about a regional OSW transmission solution.

Finally, the Board is cognizant of the concerns some stakeholders have raised that a coordinated

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<sup>34</sup> N.J.S.A. 48:3-87.1(e).

<sup>35</sup> For a definition of “Qualified Offshore Wind Project,” see N.J.S.A. 14:8-6.1.

transmission solution may increase commercial risk on OSW generation developers by making projects dependent on transmission facilities constructed by third parties. While the Board continues to see the benefits of exploring a coordinated OSW transmission option more fully, the Board notes that it will heavily weigh proposals from transmission developers that utilize the voluntary protections set forth in the SAA process to limit downside risk to New Jersey consumers and to reduce project-on-project risk for OSW generation developers. As a result, the Board **DIRECTS** Staff to address these concerns throughout the Second NJ SAA RTEP window, by collaborating with PJM, transmission developers, and OSW generation developers to maximize effectiveness of any contractual mechanisms that may be available to minimize the risk of project delays.

The effective date of this Order is May 3, 2023.

DATED: April 26, 2023

BOARD OF PUBLIC UTILITIES  
BY:

  
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PRESIDENT

  
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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 SECOND STATE AGREEMENT APPROACH FOR OFFSHORE WIND  
TRANSMISSION

DOCKET NO. QO23030129

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