



STATE OF NEW JERSEY
Board of Public Utilities
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**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC UTILITIES**

A regular Board meeting of the Board of Public Utilities was held on December 15, 2021, via online @ https://youtu.be/P_bNIDtFd7c

Public notice was given pursuant to N.J.S.A. 10:4-18 by posting notice of the meeting at the Board's Trenton Office, on the Board's website, filing notice of the meeting with the New Jersey Department of State and the following newspapers circulated in the State of New Jersey:

Asbury Park Press
Atlantic City Press
Burlington County Times
Courier Post (Camden)
Home News Tribune (New Brunswick)
North Jersey Herald and News (Passaic)
The Record (Hackensack)
The Star Ledger (Newark)
The Trenton Times

The following members of the Board of Public Utilities were present:

Joseph L. Fiordaliso, President
Mary-Anna Holden, Commissioner
Dianne Solomon, Commissioner
Upendra J. Chivukula, Commissioner
Robert M. Gordon, Commissioner

President Fiordaliso presided at the meeting and Aida Camacho-Welch, Secretary of the Board, carried out the duties of the Secretary.

It was also announced that the next regular Board Meeting will be held on January 12, 2022 at 10:00 a.m. via livestream on YouTube.

EXECUTIVE SESSION

After appropriate motion, the following matters, which involved attorney-client privilege and/or contract negotiations exceptions, were discussed in Executive Session.

8. CLEAN ENERGY

E. Docket No. QO21091119 – In the Matter of a Memorandum of Understanding Between the New Jersey Board of Public Utilities and the National Offshore Wind Research and Development Consortium (NOWRDC) to Establish the Procedures and Protocols for the NJBPU’s Membership in the NOWRDC.

Discussion: This matter was presented by James Ferris, Deputy Director of Clean Energy, and it is regarding a proposed Memorandum of Agreement (MOA) between the Board and the National Offshore Wind Research and Development Consortium (NOW-RDC), that establishes the procedures and process by which the Consortium uses the funds committed by New Jersey as part of our membership in the Consortium.

The Offshore Wind Strategic Plan adopted by the Board on September 9, 2020 recommended, among other things, that New Jersey join other states to coordinate regional monitoring and research in order to support scientific and technical research at state and regional levels to address issues related to offshore wind energy project planning, siting, construction, operation, and monitoring. One of the more prominent United States regional offshore wind research organizations is the NOW-RDC, established in 2018 as a not-for-profit corporation to facilitate and enhance the expansion and implementation of offshore wind research and development.

On July 6, 2021, the Board submitted a letter of intent to NOW-RDC to join the Consortium as a public sponsor member, and on July 14, 2021, the Consortium’s board of directors approved the Board’s public sponsor membership, subject to the execution of this MOA.

Public Sponsor Membership in the Consortium requires a commitment for the Board and other New Jersey government entities collectively to provide \$1,000,000.00 to the Consortium over the four year period running from January 1, 2022 through December 31, 2025, to support research initiatives in offshore wind, as well as a commitment for the Board to provide \$25,000.00 per year for its annual Consortium membership dues to support Consortium operations and administration.

The MOA requires NOW-RDC to utilize a competitive process to solicit proposals for projects that will be eligible for funding, and to utilize a fair and transparent evaluation process to review proposals and to select projects eligible for funding. NOW-RDC will enter into contracts for the selected projects and provide all services related to the execution of the projects.

The MOA also requires New Jersey’s Funds be used for projects that either include research activities undertaken in New Jersey by New Jersey-based institutions or projects that benefit New Jersey. In addition, a portion of the New Jersey Funds may be offset through in-kind services provided by the Board or other New Jersey government entities as agreed to by the Board and the Consortium’s Board. NOW-RDC will provide the Board with expenditure reports regarding the New Jersey Funds within 30 days of expending

such funds, and provide semi-annual performance reports to Board on the status of Selected Projects utilizing Board funds.

Finally, the MOA allows New Jersey to designate a representative to serve on the Consortium's Board, and a representative to serve on the Consortium's Research and Development Committee.

Staff recommended that the Board approve the MOA and authorized President Fiordaliso to sign it.

F. Docket No. QO21040708 – In the Matter of a Memorandum of Understanding Between the New Jersey Board of Public Utilities and the New Jersey Department of Environmental Protection to Establish the Procedures and Protocols for Collection and Administration of the Research and Monitoring Fee Charged to Offshore Wind Developers Who Receive an Award in Offshore Wind Solicitation 2.

Discussion: This matter was presented by James Ferris, Deputy Director of Clean Energy and it is regarding a Memorandum of Understanding (MOU) between Board and New Jersey Department of Environmental Protection (NJDEP) on how the \$10,000/MW fee charged to each of the successful developers in the second offshore wind solicitation will be administered. This initiative is being referred to as the Research and Monitoring Initiative (RMI).

The second solicitation Guidance Document required applicants to commit to pay a \$10,000 per MW fee to support research initiatives and the regional monitoring of wildlife and fisheries related to the introduction of offshore wind projects. The research and monitoring initiatives will further the scientific understanding of the impacts from the offshore wind farms, both beneficial and detrimental, on existing natural resources and ecosystems through all phases of offshore wind farm development, pre-construction, construction, operation and decommissioning.

Based on the project awards made on June 30, 2021, Atlantic Shores has committed to provide \$15,096,000.00, and Ocean Wind 2 has committed to provide \$11,480,000.00, for a combined, total RMI Fee of \$26,576,000.00.

In accordance with the June 2021 Order, 50% of the RMI Fee was to be provided within 60 days of the date of that Order, with the remaining 50% provided in equal payments of 25% each on the first and second anniversary of the that Order.

To date, the Board has received \$7,548,000.00 from Atlantic Shores and \$5,740,000.00 from Ocean Wind 2. The RMI Fee is being held in a separate, interest bearing account.

This MOU establishes that the Board and the NJDEP will work cooperatively as equal partners to establish the procedures and protocols for utilization of the RMI Fee, as well as the establishment, implementation, and oversight of this collaborative interagency effort. As indicated in the MOU the RMI Steering Committee, comprised of equal members from Board and NJDEP, will establish the framework, goals, objectives, and priorities of the RMI, and determine which projects will be selected for funding and the amount of the funding to be awarded to each selected project.

Staff recommended that the Board approve the MOU and authorized President Fiordaliso to sign it.

9. MISCELLANEOUS

A. Docket No. QO21111217 – In the Matter of the New Jersey Fuel Cell Task Force.

Discussion: This matter was presented by Kevin Nedza, Building Electrification Manager in the Division of Clean Energy, On June 19, 2020, Governor Murphy signed L. 2020, c. 38 into law, creating the New Jersey Fuel Cell Task Force (Task Force) within the Board. The Board is required to staff the Task Force. The Task Force currently consists of 13 members, including executive branch members and the Governor's appointees from private industry. Commissioner Chivukula chairs the Task Force.

The purpose of the Task Force is to develop a plan to increase the use of fuel cells in the State and to provide information, education, and resources for that purpose. The Task Force must issue an annual report detailing the task force's plan to increase the use of fuel cells in the State, including any recommendations for legislative or regulatory action that are necessary to effectuate the plan. This report is due on April 21, 2022.

On October 29, 2021, Board Staff released a Request for Response to New Jersey's four public research institutions: Montclair State University, the New Jersey Institute of Technology, Rowan University, and Rutgers University. The purpose of the Request for Response was to engage a university to assist the Task Force in writing their report. On November 29, 2021, Staff received responses from Montclair State University and New Jersey Institute of Technology (NJIT).

After careful evaluation, the Evaluation Committee scored the response of Montclair State University higher than that of NJIT. The anticipated cost of this engagement will be \$93,339.00.

Staff recommended the Board approve the selection of Montclair State University to assist the New Jersey Fuel Cell Task Force in writing their annual report. Staff also recommended that the Board authorize President Fiordaliso to execute a Memorandum of Understanding with Montclair State University on behalf of the Board.

After appropriate motion, the Board reconvened to Open Session.

There being no further business before the Board, the meeting was adjourned.



AIDA CAMACHO-WELCH
SECRETARY

Date: March 9, 2022