



NEW JERSEY LEGISLATURE

September 9, 2020

Joseph Fiordaliso, President
New Jersey Board of Public Utilities
44 South Clinton Ave.
Trenton, NJ 08625

Dear President Fiordaliso:

We write today to request that the Board of Public Utilities immediately suspend the approval of the Ocean Wind project, which was backed by a Memorandum of Understanding between Orsted and PSEG Renewable Generation. Additionally, we request an investigation into potential misrepresentations that Orsted made in its application to the NJ Board of Public Utilities.

When the BPU approved OREC financial support for the Ocean Wind project in June 2019, it made specific findings about the economic impact of the project, as required by the Offshore Wind Economic Development Act of 2010 (OWEDA), which we sponsored. One of those findings was that Ocean Wind offered more economic benefits for the State than the other two applicants. The BPU found that Ocean Wind had entered into a Memorandum of Understanding with EEW, a German monopole foundation manufacturer, "to spur location of an EEW monopole foundation fabrication facility in Paulsboro, New Jersey." The BPU order stated that, longer term, this facility "may be enlarged in its scope of activities as the Atlantic Coast offshore wind industry grows."

As part of its application, Ocean Wind also executed an MOU with the South Jersey Building and Construction Trades Council to hire only union labor for construction. Ocean Wind also indicated that it would establish a Pro-NJ Grantor Trust with a \$15 million initial investment to enable minority and women business enterprise and small business entry into the offshore wind industry. Orsted also

made several other promises concerning the economic development benefits of Ocean Wind.

We are starting to speak with our colleagues throughout the North East about their experiences with Wind Energy companies, including Orsted. We are asking if these companies, including Orsted, have made the same representations in other states and have equally failed to deliver. We believe that it is incumbent upon you, as part of your investigation, to contact your colleagues regarding the concerns that have been raised. If these concerns are validated, we request that you terminate the award and immediately commence a new and more transparent process for Offshore Wind project applicants. This is of the utmost importance given the significant amount of public money being utilized to fund this project.

Thank you for your consideration of this request. We look forward to working as partners in the development of the offshore wind industry in New Jersey.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Sweeney".

Stephen M. Sweeney
Senate President

A handwritten signature in blue ink, appearing to read "Burzichelli".

John Burzichelli
Assembly Deputy Speaker

A handwritten signature in blue ink, appearing to read "Taliaferro".

Adam J. Taliaferro
Assembly Deputy Parliamentarian