

PUBLIC VERSION – REDACTED
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November 22, 2024

Via Hand Delivery and Electronic Mail (stephanie.delarosa@puc.ri.gov)

Stephanie De La Rosa, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Re: In Re: Issuance of Advisory Opinion to Energy Facility Siting Board regarding
Southcoast Wind LLC Project – Docket No. 24-45-EL

Dear Stephanie:

Enclosed herewith please find the following:

1. Motion for Protective Treatment of Confidential Information to be excluded from the public record and maintained as confidential; and
2. SouthCoast Wind Energy LLC's Pre-Filed Direct Testimony of Jennifer Flood and Enrique Álvarez Cordobés with Addendum.

Please note that since *Addendum 1* referenced in the Pre-Filed Testimony contains Confidential Information to be excluded from the public record and maintained as confidential. We have provided one original and six copies (redacted) and one original and two copies (marked as confidential).

Please feel free to contact me if you have any questions.

Sincerely,



Christian F. Capizzo

CFC:nah
Enclosures

cc: Docket No. 24-45-EL Service List

**Docket No. 24-45-EL – Needs Advisory Opinion to EFSB regarding SouthCoast Wind Energy LLC’s Application for a License to Construct Major Energy Facilities (Portsmouth, RI)
Service List – Updated 10/29/2024**

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**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: ISSUANCE OF ADVISORY)	
OPINION TO ENERGY FACILITY SITING)	Docket No. 24-45-EL
BOARD REGARDING SOUTHCOAST)	
WIND LLC PROJECT)	

**MOTION OF SOUTHCOAST WIND ENERGY LLC
FOR PROTECTIVE TREATMENT OF CONFIDENTIAL INFORMATION**

SouthCoast Wind Energy LLC (“SouthCoast Wind”) hereby requests that the Rhode Island Public Utilities Commission (the “Commission”) grant protection from public disclosure to certain confidential information submitted in support of SouthCoast Wind’s Pre-Filed Testimony and contained in Addendum 1. SouthCoast Wind also sought protection from public disclosure of the same confidential information submitted to the Rhode Island Energy Facility Siting Board (the “Board”) in support of its Updated Application for License to Construct Major Energy Facilities (identified therein as Attachment H – Project Costs Table) filed on September 11, 2024 (the “Updated Application”). Specifically, SouthCoast Wind seeks an order from this Commission to protect the following:

- (1) Confidential and Competitively Sensitive Project Cost Information
(Addendum 1 – Project Costs Table)**

SouthCoast Wind requests a determination that this information is protected from disclosure pursuant to the Rhode Island Access to Public Records Act (“APRA”), R.I. Gen. Laws §§ 38-2-1 *et seq.*

SouthCoast Wind further requests that the Commission preliminarily order confidential treatment of the information specified herein pending a final ruling on this motion. Pursuant to the Commission’s rules of practice, redacted versions of SouthCoast Wind’s Pre-Filed

Testimony Addendum 1 containing confidential information are being submitted with SouthCoast Wind's public filing.

I. LEGAL STANDARD

The Rhode Island APRA establishes a balance between “public access to public records” and protection “from disclosure [of] information about particular individuals maintained in the files of public bodies when disclosure would constitute an unwarranted invasion of personal privacy.” R.I. Gen. Laws § 38-2-1. In general, “all records maintained or kept on file by any public body” are “public records,” unless a statutory exception applies. *Id.* § 38-2-2. When documents fall within an exception, they “are not subject to public disclosure.” *Providence Journal Co. v. Convention Center Auth.*, 774 A.2d 40, 47 (R.I. 2001). *See also Providence Journal Co. v. Kane*, 577 A.2d 661, 663 (R.I. 1990) (when documents fall within a specific APRA exemption, they “are not considered to be public records,” and “the act does not apply to them”).

The definition of “public record” under APRA specifically excludes “trade secrets and commercial or financial information obtained from a person, firm, or corporation that is of a privileged or confidential nature.” *Id.* § 38-2-2(4)(B). The Rhode Island Supreme Court has held that protected commercial or financial information under APRA includes information “whose disclosure would be likely . . . to cause substantial harm to the competitive position of the person from whom the information was obtained.” *Providence Journal Co.*, 774 A.2d at 47.

II. DISCUSSION

A. Confidential Project Cost Information Is Not A Public Record

SouthCoast Wind respectfully requests that protective treatment be granted for the internal confidential, proprietary, and commercially sensitive cost information (“Project Cost Information”) attached as Addendum 1 in support of SouthCoast Wind's Pre-Filed Testimony. As noted above, this information was previously submitted to the Board as Attachment H to

SouthCoast Wind's Updated Application. This confidential information has been and will continue to be used by SouthCoast Wind in connection with its commercial decision-making and is confidential, commercially sensitive and proprietary. Public disclosure of the Project Cost Information would be damaging to SouthCoast Wind's competitive position, would harm competition in the renewable energy industry and would undermine the State of Rhode Island's renewable energy policy. The Project Cost Information for which SouthCoast Wind is requesting protective treatment is squarely within the APRA exemption for "commercial or financial information obtained from a person, firm, or corporation that is of a privileged or confidential nature." R.I. Gen. Laws § 38-2-2(4)(B).

Offshore wind development and the processes involved in developing large offshore projects are highly competitive. Public disclosure of the Project Cost Information would provide competitors of SouthCoast Wind with commercially sensitive and proprietary information that is privileged and confidential and public disclosure of the same would disadvantage and substantially harm SouthCoast Wind. Large scale offshore wind developers participate in competitive processes with relatively few other competitors. If the Project Cost Information were publicly disclosed, SouthCoast Wind's competitors could use that information to gain an unfair advantage not only in future competitive solicitations but in the overall development of offshore wind projects. Allowing competing developers to access SouthCoast Winds' Project Cost Information would harm competition in the renewable energy industry.

SouthCoast Wind treats the Project Cost Information as privileged, commercially sensitive and highly confidential; does not publicly disclose this Project Cost Information in the normal course of conducting its business; and takes steps to protect this Project Cost Information from unauthorized or accidental disclosure. To the best of SouthCoast Wind's knowledge, information, and belief, the Project Cost Information contained in Addendum 1 is not otherwise available in the public domain. Accordingly, the Project Cost Information is exempt from

disclosure under APRA because disclosure “would be likely . . . to cause substantial harm to the competitive position” of SouthCoast Wind. *Providence Journal Co. v. Convention Ctr. Auth.*, 774 A.2d 40, 47 (R.I. 2001).

III. CONCLUSION

For all of the foregoing reasons, SouthCoast Wind respectfully requests that the Commission grant its Motion for Protective Treatment and take the following actions to preserve the confidentiality of these documents and information: (1) maintain the unredacted versions of SouthCoast Wind’s Pre-Filed Testimony Addendum 1 as confidential, non-public records; and (2) not place any unredacted versions of SouthCoast Wind’s Pre-Filed Testimony Addendum 1 on the public docket; and (3) disclose the unredacted versions of SouthCoast Wind’s Pre-Filed Testimony Addendum 1 only to the Commission, its attorneys, and staff as necessary to review SouthCoast Wind’s Pre-Filed Testimony.

WHEREFORE, SouthCoast Wind respectfully requests that the Commission grant its Motion for Protective Treatment.

Respectfully submitted,

SOUTHCOAST WIND ENERGY LLC

By its Attorneys,



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Dated: November 22, 2024



SOUTHCOAST WIND

**Rhode Island Public Utilities Commission
Docket No. 24-45-EL**

**In re Issuance of Advisory Opinion to Energy
Facility Siting board regarding SouthCoast Wind
LLC Project**

**Pre-Filed Direct Testimony of Jennifer Flood and
Enrique Álvarez Cordobés and Redacted
Addendum**



**Testimony of
Jennifer Flood and
Enrique Álvarez Cordobés**

PRE-FILED DIRECT TESTIMONY

OF

Jennifer Flood and Enrique Álvarez Cordobés

SOUTHCOAST WIND ENERGY LLC

1 **I. Introduction**

2 **Q. Ms. Flood, please state your name and business address.**

3 A. My name is Jennifer Flood. My business address is 3 Center Plaza, Suite 205, Boston
4 MA 02108.

5 **Q. By whom are you employed and in what capacity?**

6 A. I am employed by OW North America LLC and support SouthCoast Wind Energy LLC
7 (“SouthCoast Wind” or “SCW”). My current title is Head of Permitting, OW North
8 America and I also serve as the SouthCoast Wind Permitting Director.

9 **Q. What are your responsibilities in that role?**

10 A. In my role with SouthCoast Wind, I am responsible for the leadership and direction of
11 the federal, state, and local permitting activities for the SouthCoast Wind project, and
12 related compliance for those permits.

13 **Q. Please describe your educational and professional background.**

14 A. I received my M.S. in Resource Economics from the University of Massachusetts,
15 concentrating on offshore wind and renewable energy. I joined SouthCoast Wind in 2019
16 after working for two environmental consulting firms on various environmental projects,
17 including the permitting, National Environmental Policy Act (“NEPA”) processes, and
18 environmental assessments for offshore wind, solar, natural gas pipelines, and
19 groundwater and soil remediation projects.

1 **Q. Have you previously testified before the Rhode Island Public Utilities Commission,**
2 **the Rhode Island Energy Facility Siting Board, or any other energy regulatory**
3 **bodies?**

4 A. Yes, I previously testified before the Rhode Island Energy Facility Siting Board
5 (“RIEFSB”) at the June 12, 2023 show cause hearing in Docket SB-2022-02, SouthCoast
6 Wind’s Application to Construct a Major Energy Facility. Additionally, I testified before
7 the Massachusetts Energy Facility Siting Board during the proceedings for docket EFSB
8 22-04, D.P.U. 22-67/ 22-68.

9 **Q. Mr. Álvarez, please state your name and business address.**

10 A. My name is Enrique Álvarez Cordobés. My business address is 3 Center Plaza, Suite
11 205, Boston MA 02108.

12 **Q. By whom are you employed and in what capacity?**

13 A. I am SCW’s Chief Operating Officer (“COO”).

14 **Q. What are your responsibilities in that role?**

15 A. As COO, I am responsible for the Health and Safety, Technical, Quality, Contract and
16 Procurement departments of SouthCoast Wind.

17 **Q. Please describe your educational and professional background.**

18 A. I have held several positions in Ocean Winds, including Head of Interfaces and
19 Construction Services and Construction Director. I have worked in the wind industry for
20 over 16 years, including roles at Siemens Gamesa and General Electric. I received an
21 M.S. in Mechanical Engineering and MBA from IE Business School.

1 **Q. Have you previously testified before the Rhode Island Public Utilities Commission,**
2 **the Rhode Island Energy Facility Siting Board, or any other energy regulatory**
3 **bodies?**

4 A. No, I have not.

5 **Q. What is the purpose of your testimony?**

6 A. This joint testimony sets forth information to assist the Rhode Island Public Utilities
7 Commission (the “Commission” or “RIPUC”) in responding to the RIESFB’s request for
8 an advisory opinion regarding proposed facilities within the jurisdiction of the RIEFSB
9 (the “Facilities”) that would be used to deliver renewable energy from SouthCoast
10 Wind’s offshore wind farm in federal waters to the regional electric transmission system
11 onshore. Specifically, this testimony will discuss (1) the need for the proposed Facilities,
12 including the need for the Facilities to connect the proposed offshore wind energy
13 generating source to the regional electric transmission system onshore; (2) whether the
14 Facilities are expected to transmit energy from the offshore wind energy generating
15 source to the mainland at the lowest reasonable cost to the consumer consistent with the
16 objective of ensuring that the construction and operation of the Facilities will comply
17 with all applicable legal requirements; and (3) whether the offshore wind energy
18 generating source served by the Facilities will benefit the regional electric system and
19 associated markets, and as a result, bring benefits to Rhode Island.

20 **Q. How is your testimony organized?**

1 A. This Section I is the Introduction setting forth our background and qualifications. Section
2 II provides an overview of the Facilities. Section III discusses the need for the Facilities
3 and how the offshore wind energy generating source served by the Facilities will benefit
4 the regional electric system and associated markets, and as a result, bring benefits to
5 Rhode Island. Section IV discusses the projected cost of the Facilities.

6 **II. Overview of the SouthCoast Wind Project**

7 **Q. What is SouthCoast Wind?**

8 A. SouthCoast Wind Energy LLC is a Delaware limited liability company formed to
9 develop, own, operate, and maintain the Project described in SouthCoast Wind’s
10 September 11, 2024 Updated Application for a License to Construct Major Energy
11 Facilities filed with the RIEFSB, Docket No. SB-2022-02. SouthCoast Wind is wholly
12 owned by OW North America LLC, a joint venture of EDP Renovaveis SA (“EDPR”)
13 and ENGIE SA (“ENGIE”) (collectively the “Sponsors”).

14 **Q. Do the Sponsors have experience in this field?**

15 A. Yes. The Sponsors have global experience in designing, permitting, financing and
16 constructing wind energy projects. EDPR is a multinational, vertically integrated utility
17 company. Over its 44 year history, EDPR has become a global energy leader, operating
18 in 20 countries on four continents. ENGIE is a multinational energy company with
19 operations in electricity generation and distribution, natural gas, nuclear, renewable
20 energy, and petroleum. ENGIE provides power to 27 European countries and 48
21 countries worldwide.

1 **Q. Are you familiar with SouthCoast Wind’s Project described in its RIEFSB**
2 **Application and the Siting Report submitted in support of the Application?**

3 A. Yes.

4 **Q. Please provide an overview of the SouthCoast Wind Project.**

5 A. SouthCoast Wind is proposing to construct an offshore wind farm in federal waters 51
6 nautical miles southeast of the Rhode Island coast, 26 nautical miles south of Martha’s
7 Vineyard and 20 nautical miles south of Nantucket, Massachusetts (the “Project”). The
8 power generated by the wind farm will be brought to shore via high-voltage direct current
9 (“HVDC”) export cables that will traverse Rhode Island waters to an intermediate
10 landfall in the Town of Portsmouth. After crossing underground across Portsmouth, the
11 export cables will exit into Mount Hope Bay, exiting Rhode Island state waters and
12 ultimately making landfall at Brayton Point in Somerset, Massachusetts. Brayton Point is
13 the site of a decommissioned fossil fuel (coal) fired base load power station located on an
14 approximately 300-acre brownfields site in the Town of Somerset on Mount Hope Bay
15 and the Taunton River. At Brayton Point, the export cables will transmit energy to a new
16 SouthCoast Wind-developed HVDC converter station, where the power will be converted
17 to +/- 345 kV high-voltage, alternating current (“HVAC”). From the converter station,
18 SouthCoast Wind’s 345 kV underground HVAC transmission lines will interconnect to
19 the National Grid 345 kV Brayton Point Substation, which is the point of interconnection
20 (“POI”) with the ISO-NE administered regional transmission system.

21 **Q. What is the projected generating capacity of the Project?**

1 A. The projected generating capacity of the Project is 1,287 megawatts (“MW”). However,
2 SCW’s lease area in federal waters can support a larger generating capacity of
3 approximately 2,400 MW. SCW’s application to the RIEFSB includes a Noticed
4 Variation that would minimize the impacts to residents of Aquidneck Island and the
5 environment if SCW applies and is approved for a capacity expansion in the future.

6 **Q. Please describe the proposed Facilities that the RIEFSB is reviewing.**

7 A. The Facilities under the RIEFSB’s jurisdiction, which are the subject of the requested
8 Advisory Opinion in this docket, include the following:

- 9 • Two (2) HVDC submarine power cables with a nominal voltage of +/-320 kV plus
10 associated communications cabling, installed in an export cable corridor (“ECC”)
11 within Rhode Island state waters approximately 20 miles (32 km) long. The cables
12 will be installed in a bundled configuration where practicable. The cables will be
13 generally co-located within a single ECC through the Sakonnet River, make
14 intermediate landfall on Aquidneck Island in the Town of Portsmouth, Rhode
15 Island, traverse Portsmouth underground, and transition back to offshore into
16 Mount Hope Bay, with both landfall and exit from the Town of Portsmouth using
17 horizontal directional drilling (“HDD”) to minimize impacts.
- 18 • Two landfall work areas on Aquidneck Island for HDD activities.
 - 19 o One landfall work area on the northeast side of Portsmouth will occupy
20 portions of multiple parcels including 0 Boyd’s Lane (corner of Boyd’s
21 Lane and Park Avenue), 0 Park Avenue, and public road ROW.
 - 22 o One landfall work area on the northwest side of Portsmouth (two locations
23 are under consideration).
- 24 • Onshore export cables, consisting of two (2) HVDC power cables with a nominal
25 voltage of +/-320 kV plus associated communications cabling, co-located within a
26 single onshore export cable route of approximately 2 miles (3.2 km) underground,
27 across the Town of Portsmouth.
- 28 • SouthCoast Wind also submitted a design variation to the Facilities (the “Noticed
29 Variation”). The Noticed Variation would facilitate the future delivery of up to an
30 additional 1,200 MW of offshore renewable clean energy by “right-sizing” certain

1 facilities (primarily trenching and conduits for onshore underground transmission
2 cables). Developing the Facilities in this way would mean only one disturbance,
3 minimizing impact to the community and environment for trenching and HDD,
4 rather than a second disturbance when a second connector project might be needed
5 in the future for additional offshore wind capacity. To the extent that SouthCoast
6 Wind sought to use this additional infrastructure for additional export cables,
7 SouthCoast Wind would return to the EFSB for a license to do so.

8 Further details about the Facilities are included in SouthCoast Wind’s Updated Siting
9 Report submitted to the RIEFSB on September 11, 2024, in Docket No. SB-2022-02, a
10 public version of which is available online at the RIPUC website.¹

11 **III. Project Need**

12 **Q. Please explain the need for the proposed SouthCoast Wind Facilities being reviewed**
13 **by the RIEFSB.**

14 A. The sole purpose of the Facilities is to connect the Project to the onshore electric
15 transmission system. There is no existing infrastructure available for SouthCoast Wind to
16 deliver energy from SouthCoast Wind’s offshore lease area in federal waters to the
17 onshore electric transmission system. The Facilities being considered by the RIEFSB in
18 Docket No. SB-2022-02 and by the Commission in this Docket are needed to deliver
19 renewable energy and associated benefits from SouthCoast Wind’s offshore wind
20 development to Rhode Island and the region as a whole.

21 **Q: Does Rhode Island need new sources of renewable energy?**

¹ see SouthCoast Wind’s Siting Report. https://ripuc.ri.gov/sites/g/files/xkgbur841/files/2024-09/SB-2022-02%20-%20SCW%20_Vol%202%20Compiled%20%20Redacted%20.pdf

1 A: Yes. SouthCoast Wind is developing the Project and Facilities supporting the Project to
2 meet the regional need for overall system reliability and renewable clean energy from
3 offshore wind generation to meet growing regional need for electricity. That need is
4 driven by the significant number of retiring generation assets and strong public policies
5 and legislative directives of the various New England states, including Rhode Island and
6 its neighboring coastal states, Massachusetts and Connecticut. Those policies and
7 legislative requirements require a substantial increase of clean energy in the supply mix,
8 including specifically from offshore wind and substantial reductions of greenhouse gas
9 (“GHG”) emissions.

10 **Q: Will the Project benefit the regional electric system and associated markets, and as a**
11 **result, bring benefits to Rhode Island?**

12 A: Yes.

13 **Q. Please explain.**

14 A. In addition to the environmental benefit of delivering large amounts of renewable clean
15 energy into the regional electricity supply mix, the Project and the Facilities serving the
16 Project, will also improve energy system reliability and state and regional energy
17 security. Specifically, the Project and the Facilities will enhance the energy supply and
18 fuel diversity and improve the ability of the New England region to serve load during the
19 winter peak demand period. With the several thousand megawatts of generation
20 scheduled for retirement or retired in New England, (including but not limited to Pilgrim
21 Nuclear Power Station in 2019 and Brayton Point Power Station in 2017, the future

1 shutdown of the West Springfield plant in 2024 and 2025, and the potential future
2 shutdowns of power plants in Southern New England including Canal, Montville,
3 Middletown, and New Haven) the Project that will be served by the Facilities will help
4 fill the gap left by this generation and will be located relatively near load centers such as
5 Providence and Boston.² Further, the Project, and therefore the Facilities serving the
6 Project, will enhance the economic competitiveness of the region by reducing energy
7 costs through reduction of wholesale power prices, which will attract additional
8 investment in the region, and by helping to advance the offshore wind industry in New
9 England. Finally, by accelerating the transition to a renewable clean energy future, the
10 Project will support the sustainability of the natural environment and improve quality of
11 life in Rhode Island and the region.³

12 **Q: Are you aware of any studies showing these benefits?**

13 **A:** Yes. To understand the impact of new offshore wind generation, the Union of Concerned
14 Scientists (“UCS”) conducted an analysis covering 22 past winter seasons. The study
15 aimed to understand how different volumes of offshore wind generation would affect
16 energy shortfall risk. The UCS analysis found that “adding offshore wind generation
17 would significantly offset the increased demand that drives blackout risk during cold
18 snaps. Additional offshore wind also would eliminate the need to subsidize oil and gas
19 generators for stockpiling the backup fuels that have been used as a band aid to get

² see South Coast Wind’s Siting Report Section 3 (Project Need).
https://ripuc.ri.gov/sites/g/files/xkgbur841/files/2024-09/SB-2022-02%20-%20SCW%20_Vol%202%20Compiled%20%20Redacted%20.pdf

³ *Id.* at Section 3 (Project Need) of Siting Report.

1 through the winter.” The Report calculated that an offshore generation fleet of 8,000
2 MW, or six to eight offshore wind projects, would have reduced the number of days with
3 an elevated blackout risk to just two days during the two past decades.⁴ In another study,
4 the Sierra Club and Synapse Energy Economics, Inc. quantified electricity bill reductions.
5 Based on an offshore generation fleet of 9,000 MW built by 2030, on an annual basis,
6 offshore wind development is projected to reduce New England electricity customers’
7 bills by approximately \$630 million under a mid-range gas price scenario, with net
8 savings in some years surpassing \$1.3 billion under a mid-case natural gas price.⁵

9 **Q: You mentioned state policies and directives driving the need for renewable
10 generation. What are some of the specific state directives you are referring to?**

11 A: Among those policies, the Project and therefore the Facilities serving the Project will
12 significantly advance Rhode Island’s policies set forth in the Affordable Clean Energy
13 Security Act, *see* R.I. Gen. Laws §§ 39-31-1 *et seq.* (“ACES”), which declared Rhode
14 Island’s commitment to the increased use of no- and low-carbon energy resources; the
15 Rhode Island Renewable Energy Standard, which sets the goal of converting Rhode
16 Island to one hundred percent renewable electricity by 2033, *see* R.I. Gen. Laws § 39-26-
17 4; and the 2021 Act on Climate, which sets mandatory and enforceable targets for
18 reducing greenhouse-gas emissions and transitioning to a low carbon economy. *see* R.I.

⁴ *see* <https://ucs-documents.s3.amazonaws.com/clean-energy/Offshore-Wind-Reliability-Analysis-Muller-UCS.pdf>

⁵ *see* Charting the Wind: Quantifying the Ratepayer, Climate, and Public Health Benefits of Offshore Wind in New England, prepared for Sierra Club by Synapse Energy Economics, Inc. (June 2024)
<https://www.sierraclub.org/sites/default/files/2024-06/Synapse%20Offshore%20Wind%20Benefits%20in%20New%20England%2020240603.pdf>

1 Gen. Laws § 42-6.2-9, Statewide greenhouse gas emission reduction mandate
2 (establishing mandatory targets that “greenhouse gas emissions shall be ten percent
3 (10%) below 1990 levels by 2020, shall be forty-five percent (45%) below 1990 levels by
4 2030; eighty percent (80%) below 1990 levels by 2040, and shall be net-zero emissions
5 by 2050.”). The Project also directly advances the vision outlined by Governor McKee in
6 the Rhode Island 2030 Vision Plan “Rhode Island 2030: Charting a Course for the Future
7 of the Ocean State.” Rhode Island 2030 states that it is an objective to develop
8 “infrastructure that supports the Blue Economy and life sciences, including ports that
9 support offshore wind activity and site readiness work that enables future industrial and
10 commercial development.” The vision plan notes that the State will continue to invest in
11 needed infrastructure for offshore wind in pursuit of Rhode Island’s renewable energy
12 goals. As Governor McKee said in his September 6, 2024, press release after the
13 selection of SCW in the 2024 Tri-State offshore wind solicitation was announced,
14 “Today marks a historic milestone for Rhode Island and Massachusetts as we join forces
15 to drive the largest offshore wind procurement in New England’s history. With this
16 project, Rhode Island is taking a significant step forward in meeting our Act on Climate
17 goals and building a clean energy economy that *benefits all Rhode Islanders*. Together
18 with Massachusetts, we are setting a precedent for regional collaboration in clean energy
19 and advancing a sustainable, resilient future.” (Emphasis added.)

20 **Q. Are there are other indicia that SouthCoast Wind’s Facilities are needed?**

21 **A. Yes.**

1 **Q. Please explain.**

2 A. SouthCoast Wind was competitively selected in the 2024 Tri-State Offshore Wind
3 Solicitation to deliver 1,087 MW to the Commonwealth of Massachusetts and 200 MW
4 to the State of Rhode Island. This combined 1,287 MW amount awarded will require the
5 full SouthCoast Wind 1 Project for delivery.

6 **Q. Why is the selection of SCW’s proposal evidence of need?**

7 A. Rhode Island’s selection of SouthCoast Wind to negotiate a Power Purchase Agreement
8 (“PPA”) to provide 200 MW of renewable energy is evidence that the Project is
9 commercially reasonable and advances the purposes of ACES. *see* R.I. Gen. Laws § 39-
10 31-6(a)(1). Rhode Island selected SouthCoast Wind’s proposal only after analyzing the
11 detailed information, including financial information, in SouthCoast Wind’s bid package.
12 A commercially unreasonable proposal to construct unneeded facilities would not have
13 been accepted to move forward with PPA negotiations. This is confirmed by Rhode
14 Island Energy’s handling of the State’s 2022 offshore wind solicitation. In that earlier
15 solicitation, Rhode Island Energy declined to move forward with PPA negotiations with
16 the bidder because it concluded that the bid was unlikely to lead to a contract that met all
17 of the requirements of ACES. *see In re* The Narragansett Electric Company d/b/a Rhode
18 Island Energy’s Bid Result From October 2022 Request For Proposal For Long-Term
19 Contract For Offshore Wind Energy, Docket No. 23-32-EL.

20 **Q. Parts of the Project will be sited in Massachusetts. Has Massachusetts considered**
21 **the need for the Project?**

1 A. Yes. On October 4, 2024, the Massachusetts Energy Facilities Siting Board
2 (“MAEFSB”) issued a Final Decision on SouthCoast Wind’s siting application for the
3 Massachusetts jurisdictional portions of the Project.

4 **Q. What did the MAEFSB find on the issue of need for the Project?**

5 A. The MAEFSB found that SouthCoast Wind met its burden of establishing need for the
6 Project.

7 **Q. Can you summarize the MAEFSB’s reasoning?**

8 A. Yes. In Massachusetts, “[t]he Siting Board reviews the need for proposed transmission
9 facilities to meet reliability, economic efficiency, or environmental objectives.” *see* Final
10 Decision at p. 19 (citing G.L. c. 164, §§ 69H, 69J). For a new or expanded generating
11 facility, the MAEFSB “requires an applicant seeking to construct such a transmission
12 facility to show: (1) that the existing transmission system is inadequate to interconnect
13 the new or expanded generator; and (2) that the new or expanded generator is likely to be
14 available to contribute to the regional energy supply.” *Id.* (citing *Cape Wind Associates,*
15 *LLC, and Commonwealth Electric Company d/b/a NSTAR Electric*, MAEFSB 02-2, at
16 16-17 (2005)). As to the first prong of this test, the MAEFSB concluded that “there is no
17 existing electric infrastructure in the waters between the proposed Offshore Generation
18 Facility (“OGF”) and the regional grid to which SCW has access and can use to provide
19 wind energy.” *see* Final Decision at p. 31. Therefore, SouthCoast met its burden of
20 demonstrating “that there is a need for additional transmission resources to interconnect
21 its SCW [offshore generating facility] to the regional transmission grid.” *Id.* at p. 33. As

1 to the second prong, the MAEFSB determined that SouthCoast Wind’s Project “is likely
2 to be available to contribute to the regional energy supply,” based on what it found to be
3 “convincing” indicators of project progress, including substantial and ongoing federal
4 and state permitting progress and significant financial investments, and the fact that
5 “Massachusetts, Connecticut, and Rhode Island, individually and together, under a
6 recently executed Memorandum of Understanding, are pressing forward with additional
7 procurement solicitations for offshore wind energy resources.” *see* Final Decision at p.
8 38.

9 **Q. Has any party appealed the MAEFSB Final Decision.**

10 A. No.

11 **Q. Has the appeal period expired?**

12 A. Yes.

13 **Q. Did the MAEFSB address potential alternative points of interconnection for the
14 Project?**

15 A. Yes.

16 **Q. Please describe that analysis.**

17 A. After reviewing in detail SouthCoast Wind’s alternatives for the proposed Project design
18 (including a (1) no-build option, (2) alternative technologies, (3) alternative designs, (4)
19 alternative routes (onshore and offshore), (5) alternative landfall sites, (6) alternative sites
20 for the Converter Station, and (7) alternative POIs), *see* Final Decision at pp. 39-65, the
21 MAEFSB found that “[t]he record shows that the Company then considered 14 offshore

1 and onshore cable routes between the POI and the OGF, including routes that made
2 intermediate landfall in Massachusetts as well as Rhode Island. The record further shows
3 that the Company’s identification of cable routes required careful planning and
4 optimization of factors including offshore physical hazards, existing submarine cables,
5 economic and recreational use areas, protected marine areas, and interconnection points.”
6 *see* Final Decision at p. 66. Based on this record, the MAEFSB found that SouthCoast
7 Wind “has demonstrated that it examined a reasonable range of practical siting
8 alternatives while seeking to minimize cost and environmental impacts.” *see* Final
9 Decision at p. 68.

10 **Q. Is there a better alternative to the Rhode Island jurisdictional Facilities that are the**
11 **subject of this docket?**

12 A. No, there is not.

13 **Q. Please explain your answer.**

14 A. After undertaking an extensive analysis of alternative potential POIs, offshore ECCs,
15 landfall site alternatives, onshore export cable routes, transmission technologies, and
16 construction methodologies, SouthCoast Wind concluded that the proposed cable route
17 and onshore route variants would enable SouthCoast Wind to achieve the best balance
18 between reasonable cost, not causing unacceptable harm to the environment, and
19 reliability in accordance with the RIEFSB’s standards and precedent.⁶ In total,

⁶ *see* South Coast Wind’s Siting Report Section 5, https://ripuc.ri.gov/sites/g/files/xkgbur841/files/2024-09/SB-2022-02%20-%20SCW%20_Vol%20%20Compiled%20%20Redacted%20.pdf

1 SouthCoast Wind considered fourteen (14) onshore and offshore export cable route
2 combinations. See Section 5.3.3 (Universe of Routes Considered) of the Siting Report.
3 Some of these alternatives were eliminated based on technical or commercial feasibility
4 assessments, or the inability of the alternative to address the identified interconnection
5 need. Other alternatives that were found to be feasible and capable of addressing the
6 identified need were further examined on the basis of estimated costs, constructability,
7 operability, environmental impact assessments and reliability assessments. See Siting
8 Report, Section 5.3.7 (Sakonnet River with Intermediate Onshore Crossing at Portsmouth
9 - Selected Alternative), Section 5.3.7.1 (Export Cable Corridor), and Section 5.3.7.2.6
10 (comparison of onshore underground export cable routes across Aquidneck Island).

11 **Q: What is the current status of PPAs between SouthCoast Wind and the electric**
12 **distribution companies in Rhode Island and Massachusetts?**

13 A: The Electric Distribution Companies (“EDCs”) recently extended the date for submitting
14 proposed PPAs to the RIPUC and the Massachusetts PUC (“MAPUC”) for review and
15 approval. The new date for submitting PPAs for review is January 15, 2025. SouthCoast
16 Wind continues to work closely and cooperatively with the Rhode Island and
17 Massachusetts EDCs to meet the new deadline.

18 **Q. What is the current status of the permits and approvals for SouthCoast Wind’s**
19 **Project?**

20 A. A detailed listing of the status of SouthCoast Wind’s permits and approvals as of
21 September 11, 2024 is contained SouthCoast Wind’s Updated Application to the RIEFSB

1 in Docket SB-2022-02, a public version of which is available on the RIEFSB website.

2 Since the Updated Application was submitted, SouthCoast Wind has continued to
3 actively advance its federal and state permits and approvals, including by obtaining the
4 Final Decision of the MA EFSB discussed above. The current status of key permits and
5 approvals is set out in the table attached to this Direct Testimony as Addendum 2,
6 however it is worth noting here that the Project has received its MA Chapter 91
7 Waterways License, MA Coastal Zone Management Federal Consistency Concurrence,
8 and Bureau of Ocean Energy Management (“BOEM”) has issued the Project’s Final
9 Environmental Impact Statement (“FEIS”). Importantly, SouthCoast Wind anticipates
10 that the Record of Decision from BOEM will be issued on December 20, 2024.

11 **Q. Please describe generally the ongoing development activities that show SouthCoast**
12 **Wind’s continuing commitment to deliver 1,200 MW of clean, renewable energy**
13 **from the Project.**

14 A. There are many such activities. To list just a few:

- 15 • Selection by both Massachusetts and Rhode Island to negotiate PPAs for a total
16 delivery of 1,287 MW in the South Coast of New England.
- 17 • Procurement of certain long lead HVDC systems including associated production
18 slots with world class suppliers.
- 19 • Progression of debt financing and early market sounding in anticipation of
20 achieving financial close.
- 21 • Secured all necessary land rights for installation of cable across Aquidneck Island.

- 1 • BOEM’s issuance of the FEIS for the SouthCoast Wind Construction; and
- 2 • Operations Plan and anticipated Record of Decision on December 20, 2024.

3 **IV. Cost Justification**

4 **Q. What is the estimated cost to develop the SouthCoast Wind Facilities?**

5 A. SouthCoast Wind developed estimates of the costs associated with the proposed Facilities
6 that were submitted to the RIEFSB as part of SouthCoast Wind’s Updated Application in
7 Docket No. SB-2022-02.⁷ A copy of these confidential cost estimates is attached as
8 Addendum 1. SouthCoast Wind requests confidential treatment of this competitively
9 sensitive cost information.

10 **Q. Is the cost of the Facilities the lowest reasonable cost consistent with the objective of**
11 **ensuring that the construction and operation of the Facilities will comply with all**
12 **applicable legal requirements?**

13 A. Yes. Because offshore wind procurements are highly competitive, SouthCoast Wind
14 carefully developed the Project selected by Rhode and Massachusetts in the 2024 Tri-
15 State solicitation to achieve the lowest reasonable development cost consistent with
16 meeting fully and completely all applicable legal requirements.

17 **Q. Who will incur these costs?**

18 A. SouthCoast Wind is responsible for all of the costs of developing the Facilities and the
19 Project.

⁷ see South Coast Wind’s Siting Report Section 4.7.6 and Attachment H. Due to the competitive nature of offshore wind solicitations, SouthCoast Wind requested confidential treatment of this information, which is therefore not available in the public version of the Siting Report that is posted on the RIEFSB website.

1 **Q. What costs will be incurred by Rhode Island customers for the power to be**
2 **generated by the SouthCoast Wind Project?**

3 A. SouthCoast Wind will sell the power generated by the Project to Rhode Island Energy at
4 a price based on the terms of the PPA that is currently being negotiated. Rhode Island
5 Energy will be authorized to obtain recovery of costs incurred under the PPA through
6 rates approved by the Commission. SouthCoast Wind’s PPA with Rhode Island Energy
7 will be subject to review and approval by the Commission in a separate docket. Under
8 Rhode Island law, a PPA will be approved by the Commission only after a demonstration
9 that the PPA as negotiated is commercially reasonable and otherwise meets all of the
10 requirements of ACES. *see* Docket No. 4929 - The Narragansett Electric Co. d/b/a
11 National Grid - Review of Power Purchase Agreements Pursuant to R.I. Gen. Laws 39-
12 31, Report and Order No. 23609.

13 **V. Conclusion**

14 **Q. Based on your knowledge and involvement, is there a need for the proposed**
15 **facilities, including a need for the facilities to connect the offshore wind farm to the**
16 **onshore electric transmission system?**

17 A. Yes.

18 **Q. Based on your knowledge and involvement, is the Project expected to transmit**
19 **energy from the offshore generating source to the mainland at the lowest reasonable**
20 **cost to the consumer consistent with the objective of ensuring that the construction**

1 **and operation of the facilities will be accomplished in compliance with all of the**
2 **requirements of the laws, rules, and regulations?**

3 A. Yes.

4 Q. **Based on your knowledge and involvement, is the Project expected to benefit the**
5 **regional electric system and associated markets and, as a result, bring benefits to**
6 **Rhode Island?**

7 A. Yes.

8 Q. **Does this conclude your testimony?**

9 A. Yes.

SouthCoast Wind Energy LLC
PUC Docket No. 24-45-EL
In re Issuance of Advisory Opinion to Energy Facility Siting Board
regarding SouthCoast Wind LLC Project Pre-Filed Direct
Testimony of Jennifer Flood and Enrique Álvarez Cordobés
November 22, 2024

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Addendum 1:	Project Cost Table – Confidential – Redacted
Addendum 2:	Table 1. Summary of the Project’s Federal and State Permits, Reviews, and Approvals

Project Cost Table

THIS ADDENDUM CONTAINS CONFIDENTIAL INFORMATION REDACTED

Prepared for: SouthCoast Wind Energy LLC¹

¹On February 1, 2023, Mayflower Wind Energy LLC (Mayflower Wind) officially changed its name to SouthCoast Wind Energy LLC (SouthCoast Wind). The Mayflower Wind name has been updated to SouthCoast Wind throughout the application and recently updated appendices; however, attachments containing documents executed prior to February 1, 2023 may still reference Mayflower Wind.

Table 1. Summary of the Project's Federal and State Permits, Reviews, and Approvals

TABLE 1. SUMMARY OF THE PROJECT'S FEDERAL AND STATE PERMITS, REVIEWS, AND APPROVALS

Agency/Regulatory Authority	Permit/Approval	Status
Federal		
BOEM²⁸	Site Assessment Plan (SAP) (30 CFR §§ 585.606, 610, 611)	Approved by BOEM May 26, 2020.
	Certified Verification Agent (CVA) Nomination	Approved by BOEM November 4, 2020.
	Departure request for the early fabrication of SouthCoast Wind's Offshore Substation Platform(s) (OSP) and inter-array cables.	Approved by BOEM December 1, 2020.
	Departure request for deferral of Lease Area geotechnical data	Approved by BOEM October 5, 2021
	Construction and Operations Plan (COP)	Submitted February 15, 2021
	National Environmental Policy Act (NEPA) Review	Initiated by BOEM November 1, 2021; Draft Environmental Impact Statement issued by BOEM on February 13, 2023; Final Environmental Impact Statement issued by BOEM on November 8, 2024.
	Facilities Design Report and Fabrication & Installation Report	Filing planned for after COP approval.
U.S. Department of Defense Clearing House	Informal Project Notification Form	Submitted May 11, 2020.
U.S. Army Corps of Engineers (USACE)	Individual Clean Water Act (CWA) Section 404 Permit. Rivers and Harbors Act of 1899 Section 10 Permit.	Submitted December 2, 2022. Application deemed complete by USACE on February 2, 2023.
U.S. Coast Guard (USCG)	Private Aids to Navigation Authorization	Filing planned 3-6 months prior to offshore construction.
	Local Notice to Mariners	Filing planned prior to offshore construction.
U.S. Environmental Protection Agency (USEPA)	National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities	Submitted October 31, 2022; Application deemed complete by USEPA on September 29, 2023; Draft permit issued by EPA on October 3, 2024.
	NPDES General Permit for Construction Activities (onshore at Brayton Point)	TBD - filing planned closer to construction start date by SouthCoast Wind.
	Outer Continental Shelf Permit Clean Air Act	Submitted November 23, 2022; Application deemed complete by USEPA on April 7, 2023.
U.S. Fish and Wildlife Service (USFWS)	Endangered Species Act Section 7 consultation	Submitted March 9, 2023; Application deemed complete by USFWS on March 30, 2023; Consultation concluded on September 1, 2023.
	Bald and Golden Eagle Protection Act (BGEPA)	Basic site evaluation and characterization studies completed and detailed studies ongoing.

Agency/Regulatory Authority	Permit/Approval	Status
	Migratory Bird Treaty Act (MBTA) compliance	
National Oceanic and Atmospheric Administration (NOAA) U.S. National Marine Fisheries Service (NMFS)	Marine Mammal Protection Act (MMPA) Incidental Harassment Authorization (IHA) or Letter of Authorization (LOA)	Pre-construction: Concurrence for 2019 Geophysical and Geotechnical (G&G) surveys was issued by NMFS on July 26, 2019. IHA for 2020 Geophysical and Geotechnical surveys issued on July 23, 2020. IHA for 2021 Geophysical and Geotechnical surveys issued on July 1, 2021. IHA for 2023 Geophysical and Geotechnical surveys issued on May 12, 2023. 2023 IHA Renewal issued on October 21, 2024. LOA Application for offshore construction and operations filed March 18, 2022 and deemed complete by NMFS September 19, 2022. Proposed Rule published in Federal Register June 27, 2024.
Federal Aviation Administration (FAA)	Determination of No Hazard to Air Navigation	It is not currently anticipated that a Determination of No Hazard will be required for offshore structures in the Lease Area due to their location outside of 12 nm (22 km); nor will this be required for the onshore substation or converter stations due to the maximum height of these structures. SouthCoast Wind continues to engage with the Federal Aviation Administration with regards to whether any review and/or authorization is required for offshore equipment deployed to support horizontal directional drilling (HDD) installation of the export cables.
Rhode Island		
Rhode Island Coastal Resources Management Council (RI CRMC)	CZM Consistency Determination under the Federal Coastal Zone Management Act (16 United States Code [U.S.C.] §§ 1451-1464) and in accordance with the Rhode Island Coastal Resources Management Program and Special Area Management Plans.	Filed in Q3 2021 (COP, Appendix D2). Revised version filed March 16, 2022, and November 2, 2023. Federal Consistency Determination issued on December 12, 2023; CRMC Consistency Determination Letter filed with BOEM on December 19, 2023.
	Category B Assent and Submerged Lands License pursuant to R.I.G.L. § 46-23 and 650-RICR-20-00-1 and 650-RICR-20-00-2.	Filed on February 24, 2023. Updated filings submitted on March 6, 2023, and September 30, 2024. Application deemed complete on October 29, 2024. Public comment period commenced on November 13, 2024.
	Freshwater Wetlands Permit pursuant to the Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in	Filed on February 24, 2023. Updated filings on March 6, 2023, and September 30, 2024. Application deemed complete on October 29, 2024. Public comment period commenced on November 13, 2024.

Agency/Regulatory Authority	Permit/Approval	Status
	the Vicinity of the Coast (650-RICR-20-00-2.1 et seq.) (R.I.G.L. § 46-23-6).	
	LOA/Survey Permit, if needed, in accordance with the R.I.G.L. § 46-23 and 650-RICR-20-00-1.	Approved July 7, 2021, for Summer 2021 benthic surveys. Approved February 24, 2022 for Spring 2022 benthic surveys. Updated for onshore geotechnical investigations on December 8, 2023; Extension granted through the end of 2024 on March 26, 2024.
Rhode Island Energy Facility Siting Board (RI EFSB) and Rhode Island Public Utilities Commission (RI PUC)	Certificate of necessity/public utility.	Filed May 31, 2022. Docketed as of June 24, 2022 (Docket Number SB-2022-02). A revised application was submitted on September 11, 2024. RIEFSB issued its Preliminary Decision and Order on October 8, 2024 identifying issues to be considered at the final hearing and required Advisory Opinions.
Rhode Island Historical Preservation and Heritage Commission (RIHPHC)	Permission to conduct archaeological field investigations (pursuant to the Antiquities Act of R.I.G.L. 42-45 and the Rhode Island Procedures for Registration and Protection of Historic Properties).	Marine Survey approved on July 2, 2021. Phase 1 Permit (No. 21-32) issued on December 17, 2021. Terrestrial Archaeological Resources Assessment (TARA - Phase 1A/1B Report) filed March 14, 2022. Marine Archaeological Resources Assessment (MARA) submitted March 16, 2022.
	Section 106 Consultation	Initiated by BOEM November 1, 2021. BOEM held the fifth and final Section 106 consultation meeting on October 8, 2024.
Rhode Island Department of Environmental Management (RIDEM)	Consultation with the Rhode Island Natural Heritage Program and Division of Fish and Wildlife	Information provided by RIDEM on June 24, 2021. Updated information provided by RIDEM on April 11, 2022. RI Natural Heritage Program confirmed state-listed species data on February 10, 2023.
	Water Quality Certification pursuant to Section 401 of the Clean Water Act, 33 U.S.C. § 1251 et seq. and R.I.G.L. § 46-12-3 and Dredging Permit pursuant to the Marine Infrastructure Maintenance Act of 1996 and RI Rules and Regulations for Dredging and the Management of Dredged Materials (R.I.G.L. §§ 46-6.1 et seq.) and Rhode Island Water Quality Regulations (R.I.G.L. §§ 46.12 et seq.); (Dredging permit is issued jointly by RIDEM and RI CRMC under RIDEM dredging regulations).	Filed March 17, 2023. Amended application filed on October 16, 2023, and deemed complete on November 15, 2023. Public comment period commenced January 31, 2024; public hearing held February 22, 2024. 401 Water Quality Certificate and Marine Dredge Permit issued on March 14, 2024.

Agency/Regulatory Authority	Permit/Approval	Status
	Rhode Island Pollution Discharge Elimination System (RIPDES) General Permit for Stormwater Discharge Associated with Construction Activity pursuant to R.I.G.L. § 42-12 as amended. Authorization under the RIPDES General Permit for Stormwater Discharge Associated with Construction Activity (Construction General Permit or CGP).	TBD - filing planned closer to construction start date by SouthCoast Wind.
RIDEM Division of Fish and Wildlife (RI DFW)	Letter of Authorization and/or Scientific Collector's Permit (for surveys and pre-lay grapnel run), if needed.	TBD based on consultations with RIDEM Division of Fish & Wildlife.
Rhode Island Department of Transportation (RIDOT)	Utility Permit/Physical Alteration Permit pursuant to R.I.G.L. Chapter 24-8.	Filing planned prior to construction (if applicable). RIDOT issued a draft Letter of Intent to grant easement across railway on July 9, 2024.
Local - Portsmouth		
Portsmouth Department of Public Works	Street Opening Permits/Grants of Location	Filing planned closer to construction start date.
Portsmouth Zoning and Planning Board(s)	Advisory Opinion to RI EFSB on Local Planning/Zoning Approval(s) (if needed)	Portsmouth Planning Board held a hearing and issued its Advisory Opinion on November 20, 2024. Portsmouth Zoning Board held a hearing and issued its Advisory Opinion on November 21, 2024.
Portsmouth Town Council	Advisory Opinion to RI EFSB on Noise Variance	Hearing scheduled December 9, 2024.
Massachusetts		
Massachusetts Executive Office of Energy and Environmental Affairs (EEA)	Massachusetts Environmental Policy Act (MEPA) Environmental Notification Form (ENF) and Environmental Impact Report (EIR) Certificate of Secretary of EEA.	SouthCoast Wind 1 ENF filed August 12, 2022; ENF Certificate of EEA Secretary issued on October 11, 2022. Filing of SouthCoast Wind 1 DEIR on February 1, 2023; DEIR Certificate of EEA Secretary issued on May 10, 2023. Filing of SouthCoast Wind 1 FEIR on July 21, 2023; FEIR Certificate of EEA Secretary issued on September 15, 2023. Filing of SouthCoast Wind 1 SFEIR on October 31, 2023; SFEIR Certificate of EEA Secretary issued on December 15, 2023.

Agency/Regulatory Authority	Permit/Approval	Status
Massachusetts Energy Facilities Siting Board (MA EFSB)	Approval to construct the proposed Project, pursuant to G.L. c. 164, § 69J (Siting Petition). Certificate of Environmental and Public Need (if needed).	SouthCoast Wind 1 EFSB Petition and Analysis filed May 27, 2022. Public Comment Hearing held October 11, 2022. Six days of evidentiary hearings concluded on August 7, 2023; Initial Brief filed on November 22, 2023; Reply Brief filed on December 6, 2023. Tentative Decision issued September 20, 2024. Final Decision issued October 4, 2024.
Massachusetts Department of Public Utilities (MA DPU)	Approval to construct and use proposed Project pursuant to G.L. c. 164, § 72 (Section 72 Petition). Individual and comprehensive exemptions from the zoning bylaws of Somerset for the proposed Project pursuant to G.L. c. 40A § 3 (Zoning Petition).	SouthCoast Wind 1 petitions filed concurrently with the EFSB Petition and Analysis on May 27, 2022. Petitions consolidated with MA EFSB proceeding on July 5, 2022. Tentative Decision issued September 20, 2024. Final Decision issued October 4, 2024.
Massachusetts Department of Environmental Protection (MassDEP)	Chapter 91 Waterways License/Permit for dredge, fill, or structures in waterways or tidelands.	Filed on December 20, 2023. Public comment period commenced April 17, 2024, ended May 24, 2024. Draft Chapter 91 License issued by MassDEP September 10, 2024. Final Chapter 91 Waterways License issued October 21, 2024.
	Section 401 Water Quality Certification.	Filed on December 20, 2023. MassDEP issued 401 Water Quality Certification on May 7, 2024; Appeals period ended on May 28, 2024.
Massachusetts Office of Coastal Zone Management (MA CZM)	MA CZM Consistency Determination	Submitted February 15, 2021 (COP, Appendix D1). Revised version filed January 13, 2022. Executed multiple stays with MA CZM. Federal Consistency Determination Letter filed with BOEM on October 21, 2024.
Massachusetts Department of Transportation (MassDOT)	State Highway Access/Easement/ Right-of-Way Permit(s)	TBD - filing planned prior to construction, if needed.
Massachusetts Board of Underwater Archaeological Resources (MA BUAR)	Special Use Permit (SUP)	Provisional SUP issued on June 25, 2021. Filed MA BUAR SUP application for SouthCoast Wind 1 on August 26, 2021. SUP approved on September 30, 2021. SUP renewals were approved on September 30, 2022, September 28, 2023, and September 26, 2024. Next SUP renewal anticipated on September 26, 2025.
Massachusetts Historical Commission (MHC)	Project Notification Form/Field Investigation Permits (980 CMR § 70.00)	Project Notification Form (PNF) submitted July 26, 2021. Terrestrial Archaeological Resources Assessment (TARA) (Brayton Point Phase 1A Report) filed on March 14, 2022.
	Section 106 Consultation	Initiated by BOEM November 1, 2021. BOEM held the fifth and final Section 106 consultation meeting on October 8, 2024.
Massachusetts Fisheries and Wildlife (MassWildlife) -	Conservation and Management Permit (if	NHESP issued a letter identifying species in Brayton Point Project Area on April 28, 2022 (NHESP Tracking

Agency/Regulatory Authority	Permit/Approval	Status
Natural Heritage and Endangered Species Program (NHESP)	needed) or No-Take Determination.	No. 19-38917); Determined that site is not mapped as Priority or Estimated Habitat.
Massachusetts Division of Marine Fisheries (MA DMF)	Letter of Authorization and/or Scientific Permit (for surveys and pre-lay grapnel run).	To be determined based on consultations with MA DMF.
Local – Somerset & Swansea		
Somerset Planning & Zoning Board(s)	Local Planning/Zoning Approval(s) (if needed)	Filed zoning exemption petition requesting individual and comprehensive zoning exemptions from Somerset zoning bylaws pursuant to G.L. c. 40A § 3 on May 27, 2022. Zoning exemption was consolidated with the MA EFSB proceeding and granted/approved on October 1, 2024; Final Decision issued on October 4, 2024.
Somerset Conservation Commission	Notice of Intent and Order of Conditions (Massachusetts Wetlands Protection Act.	Notice of Intent (NOI) filed on March 15, 2024. NOI approved on August 29, 2024. Order of Conditions issued September 9, 2024.
Somerset Department of Public Works, Board of Selectmen, and/or Town Council	Street Operating Permits/Grants of Location.	No work proposed in Somerset streets.
Swansea Conservation Commission	Notice of Intent and Order of Conditions (Massachusetts Wetlands Protection Act.	Notice of Intent filed on March 8, 2024. NOI approved on August 12, 2024. Order of Conditions issued August 29, 2024.