

November 7, 2025

Via Electronic Filing & Electronic Mail

Honorable Sherri Lewis, Secretary
New Jersey Board of Public Utilities
44 South Clinton Ave., Ste. 314
P.O. Box 350
Trenton, NJ 08625-0350
sherri.lewis@bpu.nj.gov
board.secretary@bpu.nj.gov

Re: **In re the Opening of New Jersey's Third Solicitation for Offshore Wind
Renewable Energy Certifications (OREC)
Board Docket No.: QO22080481**

Dear Secretary Lewis:

This Firm represents Invenergy Wind Offshore LLC (the "Company"), the developer of the 2,400 MW Leading Light Wind Project ("LLW Project" or the "Project").¹ On behalf of the Company, please accept this letter as formal notice to the New Jersey Board of Public Utilities (the "Board") that the Company has determined it cannot move forward with the Project under the terms and conditions set out in the Board's January Order awarding ORECs to the LLW

¹ Following a lengthy and detailed solicitation review process, the Board approved the LLW Project as a Qualified Offshore Wind Project, deemed the Project eligible to receive Offshore Wind Renewable Energy Credits, and imposed various requirements, including to make a compliance filing within 180 days of the January Order. The purpose of the compliance filing is to bind the Company to specific milestones and achievement of commercial operation of the Project by December 31, 2032. See *I/M/O the Opening of New Jersey's Third Solicitation for Offshore Wind Renewable Energy Certifications (OREC)*, BPU Docket No. QO22080481, Order Approving Leading Light Wind 2400 MW Project as a Qualified Offshore Wind Project (dated January 24, 2024) [the "January Order"].

Project. The Company will continue to develop the Project as conditions allow and may participate in future OREC solicitations authorized by the Board.

The Board is well aware that the offshore wind industry has experienced economic and regulatory conditions that have made the development of new offshore wind energy projects extremely difficult. Like many other industry participants, the Company has faced a series of obstacles in the development of the LLW Project including supply chain, equipment and vendor challenges as well as changing regulatory requirements, to name but a few of the issues the Company has confronted. As a result of these challenges, the Company sought, and obtained, a Stay of the enforcement of the Board's January Order.² In granting the Company's request, the Board suspended all obligations of the January 24, 2024 Order during the Stay, which the Company requested run through December 20, 2024.³

On December 19, 2024, the Company filed a Motion to Extend the Stay, and later amended its Motion to Extend the Stay on March 31, 2025, and again on May 16, 2025. The Board has not acted on the Company's pending Stay request as of the date of this letter. As a result of the initial Stay and the pendency of the Company's Motion to Extend the Stay, the Company has not undertaken the actions set out in the January Order. Specifically, the Company has not submitted the filing intended to bind the Company to the development of the LLW Project under the terms and conditions of the OREC award memorialized in the January Order.

The Company has invested considerable time and financial resources in the development of the LLW Project and remains firmly of the view that the LLW Project, and

² See *I/M/O the Opening of New Jersey's Third Solicitation for Offshore Wind Renewable Energy Certifications (OREC)*, BPU Docket No. QO22080481, and *I/M/O the Board of Public Utilities Offshore Wind Solicitation 3 for 1,200 to 4,000 MW - Invenergy Wind Offshore LLC*, BPU Docket No. QO24010060, Order Granting Motion for Stay (dated September 25, 2024) ["Stay Order"].

³ See Stay Order, at 7.

offshore wind energy development, can provide significant benefits to New Jersey and its residents. The Company hereby withdraws its pending Motion to Extend the Stay as that request has been mooted by this decision, and formally advises the Board the Company will not make the binding compliance filing. The Company regrets this decision but does not see a path forward for the LLW Project on this OREC award and looks to the future for possible solicitations.

The Company sincerely appreciates the efforts of the State of New Jersey, the Board and its Staff to work to bring the LLW Project to fruition. Should the Board have any questions, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, reading "Colleen A. Foley". The signature is written in a cursive, flowing style.

Colleen A. Foley

cc: Service List

SERVICE LIST

In the Matter of the Opening of New Jersey's
Third Solicitation for Offshore Wind Renewable Energy Certificates (OREC)
BPU Docket No. QO22080481

In the Matter of the Board of Public Utilities
Offshore Wind Solicitation 3 for 1,200 to 4,000 MW – Invenergy Wind Offshore LLC
BPU Docket No. QO24010060

NJ Board of Public Utilities

Sherri Lewis, Secretary
Board of Public Utilities
44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, NJ 08625
sherri.lewis@bpu.nj.gov
board.secretary@bpu.nj.gov

Stacy Peterson
Deputy Executive Director
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
stacy.peterson@bpu.nj.gov

Robert Brabston, Executive Director
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
robert.brabston@bpu.nj.gov

Taryn Boland
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
taryn.boland@bpu.nj.gov

Benjamin Witherell
Chief Economist
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
benjamin.witherell@bpu.nj.gov

Kira Lawrence
Acting Deputy Director
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
kira.lawrence@bpu.nj.gov

Kimberly Diamond, Senior Counsel
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
kimberly.diamond@bpu.nj.gov

Farhana Raman
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
farhana.raman@bpu.nj.gov

Earl Thomas Pierce
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
earl.pierce@bpu.nj.gov

Justin Kohley
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
justin.kohley@bpu.nj.gov

Veronique Oomen
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
veronique.oomen@bpu.nj.gov

Kevin Dillon
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
kevin.dillon@bpu.nj.gov

Katharine Perry
Board of Public Utilities
44 South Clinton Avenue
P.O. Box 350
Trenton, NJ 08625
katharine.perry@bpu.nj.gov

NJ Division of Rate Counsel

Brian O. Lipman
Division of Rate Counsel
140 East Front Street, 4th Fl.
Trenton, NJ 08625
blipman@rpa.nj.gov

Maura Caroselli
Division of Rate Counsel
140 East Front Street, 4th Fl.
Trenton, NJ 08625
mcaroselli@rpa.nj.gov

Lisa Littman, Esq.
Division of Rate Counsel
140 East Front Street, 4th Fl.
Trenton, NJ 08625
llittman@rpa.nj.gov

T. David Wand, Esq.
Division of Rate Counsel
140 East Front Street, 4th Fl.
Trenton, NJ 08625
dwand@rpa.nj.gov

Debora Layugan
Division of Rate Counsel
140 East Front Street, 4th Fl.
Trenton, NJ 08625
dlayugan@rpa.nj.gov

NJ Division of Law

Daren Eppley, DAG
Division of Law
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 112
Trenton, NJ 08625
daren.eppley@law.njoag.gov

Terel Klein, DAG
Division of Law
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 112
Trenton, NJ 08625
terel.klein@law.njoag.gov

Pamela Owen, DAG
Division of Law
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 112
Trenton, NJ 08625
pamela.owen@law.njoag.gov

NJDEP

Elizabeth Lange
NJDEP
P.O. Box 420
Trenton, NJ 08625
elizabeth.lange@dep.nj.gov

Megan Brunatti
NJDEP
P.O. Box 420
Trenton, NJ 08625
megan.brunatti@dep.nj.gov

Katherine Nolan
NJDEP
P.O. Box 420
Trenton, NJ 08625
katherine.nolan@dep.nj.gov

Public Utilities

Joey T. Chen, Esq.
FirstEnergy Service Company
76 South Main Street
Akron, OH 44308
jchen@firstenergycorp.com

Kenneth Barcia
Pepco Holdings LLC
500 North Wakefield Drive
P.O. Box 6066
Newark, DE 19714-6066
kenneth.barcia@exeloncorp.com

John L. Carley, Esq.
Consolidated Edison Co. of NY
Law Dept., Room 1815-S
4 Irving Place
New York, NY 10003
carleyj@coned.com

Margaret Comes, Sr. Staff Attorney
Consolidated Edison Co. of NY
Law Dept., Room 1815-S
4 Irving Place
New York, NY 10003
comesm@coned.com

Matthew M. Weissman, Esq.
PSEG Services Corporation
80 Park Plaza, T5B
P.O. Box 570
Newark, NJ 07102
matthew.weissman@pseg.com

Stacey M. Mickles, Esq.
PSEG Services Corporation
80 Park Plaza, T5B
P.O. Box 570
Newark, NJ 07102
stacey.mickles@pseg.com

Bernard Smalls
PSEG Services Corporation
80 Park Plaza, T5G
PO Box 570
Newark, NJ 07102
bemard.smalls@pseg.com

Invenergy Wind Offshore LLC

Aaron Geschiere
Invenergy Wind Offshore LLC
1 South Wacker Drive, Suite 1800
Chicago, IL 60606
ageschiere@invenergy.com

Christopher Orzel
Invenergy Wind Offshore LLC
1 South Wacker Drive, Suite 1800
Chicago, IL 60606
corzel@invenergy.com

Daniel Runyan
Invenergy Wind Offshore LLC
1 South Wacker Drive, Suite 1800
Chicago, IL 60606
drunyan@invenergy.com

Colleen Foley, Esq.
Saul Ewing LLP
One Riverfront Plaza, Suite 1530
1037 Raymond Blvd.
Newark, NJ 07102
colleen.foley@saul.com