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August 5, 2019

Mark D. Marini, Secretary  
Department of Public Utilities  
One South Station, 5<sup>th</sup> Floor  
Boston, MA 02110

Re: Long-Term Contracts for Offshore Wind Energy Generation Pursuant to Section 83C of Chapter 169 of the Acts of 2008 – D.P.U. 19-45

Dear Secretary Marini:

On May 17, 2019, the Department of Public Utilities (“Department”) issued a final order approving the proposed timetable and method for the second solicitation and execution of long-term contracts for offshore wind energy generation pursuant to Section 83C of the Green Communities Act, St. 2008, c. 169 (“Section 83C”) (the “Order”). The Department approved the request for proposals (“RFP”) substantially as proposed by NSTAR Electric Company d/b/a Eversource Energy (“Eversource”), Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid (“National Grid”), and Fitchburg Gas and Electric Light Company d/b/a Unitil (“Unitil”) (collectively, “Distribution Companies” or “EDCs”) jointly with the Massachusetts Department of Energy Resources (“DOER”).

At the time of the Department’s Order, Section 83C(b) provided that the Department may not approve a PPA resulting from a subsequent solicitation if the levelized price per MWh, plus associated transmission costs, is greater than or equal to the levelized price per MWh plus transmission costs that resulted from the previous solicitation. To satisfy that requirement, the RFP approved by the Department required that the nominal levelized price of any bid must be less than \$84.23 per MWh (Order at 31). In response to several comments noting legislative proposals to remove or modify the price cap requirement under Section 83C(b), the Department required the following:

in the event that a change in law occurs that affects this solicitation, DOER and the Companies, with input from the Independent Evaluator, shall develop and implement an appropriate response designed to ensure that the existing solicitation process continues in a fair, transparent, competitive, and non-discriminatory manner. The Petitioners shall, without delay after any such change in law, file a report with the Department describing such response. The Department will then review the response (Order at 38).

On August 1, 2019, Section 83C was amended to temporarily remove the price cap requirement under Section 83C(b). The Distribution Companies have reviewed this change in law with the DOER, with input from the Independent Evaluator. In accordance with the

Department's Order, the Distribution Companies report that to address this change in law in a fair, transparent, competitive, and non-discriminatory manner, the Distribution Companies and DOER are revising the Due Date for Submission of Confidential Proposals from August 9, 2019 to August 23, 2019. The Due Date for Submission of Public Proposals will be moved from August 16, 2019 to August 30, 2019. This revision is intended to provide sufficient time for all prospective bidders to revise their bids, if necessary, to account for the change in law. No other revisions to the timetable are proposed at this time.

The Distribution Companies, together with DOER and with input from the Independent Evaluator, will be making all necessary conforming changes to the RFP, including striking references to the price cap and removing the option for a bidder to certify that it is unable to submit a required proposal under the price cap. The Evaluation Team will post the updated RFP on the Section 83C II website, <https://macleanenergy.com/83c-ii/>.

Thank you for your attention to this matter. Please contact me with any questions regarding this filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew S. Stern".

Matthew S. Stern, Esq.

cc: Alan Topalian, Hearing Officer  
D.P.U. 19-45 Service List