

**ORDER NO. 87898**

IN THE MATTER OF THE  
APPLICATIONS OF US WIND, INC. AND  
SKIPJACK OFFSHORE WIND, LLC FOR A  
PROPOSED OFFSHORE WIND  
PROJECT(S) PURSUANT TO THE  
MARYLAND OFFSHORE WIND ENERGY  
ACT OF 2013

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BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

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CASE NO. 9431  
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**Issue Date: November 22, 2016**

On February 25, 2016, the Public Service Commission of Maryland (“Commission”) commenced the Maryland Offshore Wind Project Application Period (“Application Period”), in accordance with COMAR 20.61.06.01(B)(3) after a determination by the Commission’s independent consultant<sup>1</sup> that a first potential offshore wind (“OSW”) application had been received and deemed administratively complete.<sup>2</sup> The Application Period was initially scheduled to conclude on August 23, 2016, following a 180 calendar day window during which other persons were permitted to submit applications.<sup>3</sup> The Commission, however, extended the initial Application Period by three, 30 calendar day increments,<sup>4</sup> resulting in the ultimate conclusion of the

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<sup>1</sup> The Maryland Offshore Wind Energy Act of 2013 directed the Commission to contract for the services of independent consultants and experts to assist in the evaluation and comparison of a potential applicant(s)’ proposed offshore wind project. In compliance with this directive, the Commission retained a team led by Levitan & Associates, Inc. (“LAI”).

<sup>2</sup> See ML#183939. According to COMAR 20.61.01.03(B)(1-1), “Administratively complete” means that the Commission has determined an application to contain the information described in §§D through N of COMAR 20.61.06.02.

<sup>3</sup> COMAR 20.61.06.01(B)(4).

<sup>4</sup> The regulations permit the Commission to extend the initial 180 calendar day Application Period by one or more additional periods of 30 calendar days, at its discretion. *Id.*

Application Period occurring at the close of business on Friday, November 18, 2016.<sup>5</sup>

Following the close of the Application Period, the Commission's independent consultant provided notice that two OSW project applications were received by the following companies: (i) US Wind, Inc., a subsidiary of Toto Holding SpA ("US Wind"); and (ii) Skipjack Offshore Wind, LLC, a subsidiary of Deepwater Wind Holdings, LLC ("Skipjack").<sup>6</sup> Upon a review of the applications, the Commission's independent consultant determined that both projects were found to be administratively complete per COMAR 20.61.06.02. Further, the Commission's independent consultant has opined that both project applications have met the minimum threshold criteria, per COMAR 20.61.06.03.<sup>7</sup> Therefore, in accordance with COMAR 20.61.06.01(D), the Commission hereby commences this docketed proceeding in order to conduct a multi-part review to evaluate and compare the proposed OSW project applications submitted by US Wind and Skipjack. Both applicants are hereby directed to file the public and confidential versions of their proposed OSW project application in this docket by November 30, 2016.<sup>8</sup>

A prehearing conference in this matter is hereby set for Wednesday, December 14, 2016, in the Commission's 16<sup>th</sup> Floor Hearing Room, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202, beginning at 1 p.m. or ½ hour after completion of the Administrative Meeting, whichever is later. The purpose of the

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<sup>5</sup> See ML#s 197182; 199475; and 201238.

<sup>6</sup> See ML#204774.

<sup>7</sup> *Id.* In accordance with COMAR 20.61.06.01(D)(1)(b), the Commission hereby publishes the names of all OSW applicants who have submitted applications that have been determined to meet the minimum threshold criteria.

<sup>8</sup> Note that additional confidential provisions pertaining to the OSW applications are outlined in COMAR 20.61.06.02(C). The submitted applications shall not contain information that is materially different than that reviewed by the Commission's independent consultant during the Application Period.

hearing is to set a procedural schedule for this proceeding, consider any petitions to intervene that have been filed, and consider any other preliminary matters requested by the parties. Petitions to intervene shall be filed by 5 p.m., Monday, December 12, 2016.

**IT IS, THEREFORE,** this 22<sup>nd</sup> day of November in the year Two Thousand Sixteen, by the Public Service Commission of Maryland,

**ORDERED:** (1) That US Wind, Inc., a subsidiary of Toto Holding SpA, and Skipjack Offshore Wind, LLC, a subsidiary of Deepwater Wind Holdings, LLC, shall file an original and 17 copies, plus one electronic copy,<sup>9</sup> of their proposed offshore wind project application with David J. Collins, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202, by Wednesday, November 30, 2016;<sup>10</sup>

(2) That petitions to intervene in this proceeding by interested parties shall be filed by Monday, December 12, 2016. Interested parties shall file an original and 17 copies, plus one electronic copy, of any petition to intervene with David J. Collins, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202; and

(3) That a prehearing conference in this matter is hereby set for Wednesday, December 14, 2016, in the Commission's 16<sup>th</sup> Floor Hearing Room, William Donald

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<sup>9</sup> The Commission encourages parties to use the Commission's "e-file" system for filing the electronic copy. Details of the "e-file" system are on the Commission's web page, [www.psc.state.md.us](http://www.psc.state.md.us). Additionally, five paper copies of the petition shall be three-hole punched.

<sup>10</sup> Persons are reminded that if the "e-file" system is used, the original and required paper copies of the filing must be delivered to the Commission's docket room by noon, the next business day after the e-filing is made to retain the filing date of the e-filed document. In the event the paper copies are received after noon of the next business day, the date on which the paper copies are received becomes the official filing date.

Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202, beginning at 1 p.m. or ½ hour after completion of the Administrative Meeting, whichever is later.

By Direction of the Commission,

*/s/ David J. Collins*

David J. Collins  
Executive Secretary