

**STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION**  
**DOCKET No. 4185**  
**Deepwater Wind Block Island, LLC**  
**Response To**  
**Rhode Island Public Utilities Commission's Data Requests**  
**SET 1**

Comm. 1-1: Please provide a detailed itemization of the estimated decommissioning cost of the project's infrastructure.

Response: Deepwater Wind has the responsibility for decommissioning the facility. Deepwater Wind has not yet developed budgetary estimates of the decommissioning costs. The decommissioning plan will be developed either during the permitting process or financing of the project as is consistent with onshore wind projects. The plan will be developed assuming that the wind turbine generators (WTGs), jackets and other major infrastructure components will be disassembled and disposed of following the useful life of the project. Disposal may include salvage or recycling. Pending the establishment of the details and funding requirements (see response to Comm. 1-2 below), Deepwater Wind has included \$10,000,000 in decommissioning costs in the financial model attached as Exhibit 1 to William Moore filed on July 15, 2010. However, this estimate is preliminary and subject to change depending on regulatory and financing requirements.

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Comm. 1-2: Please explain how a decommissioning fund will be established. Include a timeline.

Response: Deepwater Wind expects that the details and funding requirements respecting the project's decommissioning plan will be established either during the permitting process or financing of the project. To the extent that a decommissioning plan is not required by either of those processes, then Deepwater Wind anticipates creating a decommissioning reserve from the net cash flow of the project. Decommissioning is expected to be the same amount of time as the construction of the Project – approximately six months plus planning time.

With respect to the establishment of a decommissioning fund or reserve two points should be noted. First, and most importantly, the pricing structure contemplated by the New PPA does not allow for Deepwater Wind to pass through the costs of decommissioning to National Grid or to the ratepayers. The cost of decommissioning the facility is a risk that has been assumed by Deepwater Wind. Secondly, the scrap or salvage value of the jackets and the turbine components is likely to offset a portion of the decommissioning costs.

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Comm. 1-3: Please provide a copy of the notification of loan guaranty rejection received from DOE. If not included in the notification, please explain the reason for the rejection.

Response: See attached.

As can be seen from the attached letter from DOE, it seems clear that the DOE is looking to provide loan guarantees to projects that have progressed to a point where they are ready to be underwritten and financed (i.e., an identified revenue stream, final permits, etc.). As is discussed in the Response to Comm. 1-4, this is one of the considerations that will factor in Deepwater Wind's decision to re-apply for a loan guarantee.



**Department of Energy**  
Washington, DC 20585

April 21, 2010

Clinton L. Plummer  
Deepwater Wind Rhode Island, LLC  
36-42 Newark Street, Suite 402  
Hoboken, NJ 07030-5655

Re: Status of Loan Guarantee Application under Energy Efficiency, Renewable Energy and Advanced Transmission and Distribution Technologies Solicitation No. DE-FOA-0000140 (the "Solicitation")

Dear Mr. Plummer:

I regret to inform you that, after completing a formal technical and financial review of your application, the Department of Energy will not proceed further with the Rhode Island Offshore Wind project. In accordance with Section IV of the Solicitation, this decision is final and non-appealable. However, rejection of this application will not prejudice our analysis of any future applications you may choose to make under future solicitations.

Although the project offers the prospect of environmental and climate benefits, the Rhode Island Offshore Wind project does not currently possess the necessary elements to support a successful commercial launch. The following critical issues were identified:

- **The project lacks an on-site resource assessment.** While the Applicant has undertaken a desktop wind resources study, the lack of an on-site resource assessment makes the revenue projections provided highly speculative.
- **The project has not completed its permitting and leasing.** The proposed site does not have permitting or leasing complete, nor is a clear path to completion evident given that some of the rules for leasing submerged land have not yet been defined by the State of Rhode Island.
- **The ability of the applicant to raise sufficient equity remains uncertain.** While the application does provide letters of support, it does not provide evidence of secured equity commitments for the project. Further, no details for the planned equity raise have been identified.
- **The project does not have sufficient binding revenue sources.** While the Applicant has negotiated a Power Purchase Agreement with the National Grid for all the power to be generated by the Block Island Wind Farm (28.8MW), it does not have a committed PPA for the much larger RI Sound Wind Farm (385.2MW).
- **Production forecasts are not based on firm operating assumptions.** Operational costs were calculated using the Siemens 3.6MW WTG P50 wind yield and a capacity factor of 40.4%. However, the project has not determined which wind turbine it will use for the project. Until a wind turbine is chosen and the corresponding wind resource data is provided, operational costs cannot be estimated with reasonable confidence.

We would also like to note that although it is not a reason for denial, the project's overall maturity, timeline, and permitting complexities suggest that it may not satisfy the sunset dates for U.S. Treasury's Investment Tax Credit Cash Grant program, and potentially, the Section 1705 credit subsidy. The project's economic feasibility may be negatively affected without this support.





**Department of Energy**  
Washington, DC 20585

We would like to thank you for submitting the Rhode Island Offshore Wind project to the program. We believe the project would benefit from continued project development that specifically focuses on securing equity financing, firming operating assumptions, and an additional PPA for the RI Sound Wind Farm that supports the project's revenue and cost projections. In addition, the project would benefit from a clear timeline for resolution of existing permit and leasing concerns.

If you would like to schedule a debriefing conference call with the Loan Guarantee Office please contact Kelly Hyman at [Kelly.Hyman@hq.doe.gov](mailto:Kelly.Hyman@hq.doe.gov) to establish a date and time.

Thank you for your interest in DOE's Title XVII Loan Guarantee Program. We wish you every success in the continued development of your project.

Sincerely,

A handwritten signature in dark ink, appearing to read "David G. Frantz", is written over the printed name.

David G. Frantz  
Director, Loan Guarantee Program  
DOE Loan Programs Office



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Comm. 1-4: With regard to the loan guaranty:

- a. Is Deepwater precluded from re-applying for a loan guaranty?
- b. If yes, why?
- c. If no, please indicate whether Deepwater plans to re-apply.
- d. If Deepwater can re-apply and does not plan to re-apply, please explain why.
- e. If Deepwater plans to re-apply, please indicate when Deepwater plans to re-apply.
- f. If Deepwater does re-apply, what is the expected timeline of the review process?

Response:

- a. No.
- b. N/A.
- c. Deepwater Wind is planning to reapply as part of the overall development and financing plan for this project and our efforts to make the Block Island Wind Farm a reality. However, based on some of the reasons cited for the rejection, it appears that to increase the likelihood of acceptance, the project must demonstrate both a revenue stream (*i.e.*, a power purchase agreement that has been approved by a final Commission order) as well as the necessary permits. In light of the fact that the last opportunity (under current regulations) to apply for a guarantee is August 24, 2010, and the fact that the project will not have received permits by that date, while eligible, there is no assurance that the project will be awarded a loan guarantee by the Department of Energy.

Accordingly, in addition to preparing to reapply to the Department of Energy, Deepwater Wind is evaluating alternative financing plans.

- d. N/A.
- e. See Response to 1-4(c).
- f. Deepwater Wind does not know the timeline for the Department of Energy review. DOE has not publicly committed to any binding review timelines under the loan program. To date, no wind generation project has closed financing with a DOE guaranty.

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Comm. 1-5: National Grid's response to Division Data Response 1-2 states, in part: "...the Base Amount reflects an assumed higher financing cost for Deepwater Wind because its application for a loan guaranty ...was rejected..."

- a. What was Deepwater's assumed financing cost prior to the DOE rejection? (include dollar amounts and loan terms)
- b. What is Deepwater's assumed financing cost after the DOE rejection? (include dollar amounts and loan terms)

Response:

- a. Deepwater Wind's assumed financing cost was \$8,832,485. This amount reflects closing costs and interest during construction. Deepwater Wind assumed a term loan tenor of 8-10 years with 15-18 year amortization (Deepwater Wind assumes the re-financing risk). These financing costs do not include the interest payable after the commencement of operations of the facility. That term loan interest is paid from the cash flow of the facility.
- b. Deepwater Wind's assumed financing cost is \$9,907,895. This amount reflects closing costs and interest during construction. Deepwater Wind is assuming a term loan tenor of 8-10 years with 15-18 year amortization (Deepwater Wind assumes the refinancing risk). These financing costs do not include the interest payable after the commencement of operations of the facility. That term loan interest is paid from the cash flow of the facility.

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Comm. 1-6: Please reconcile the Docket 4111 capital cost estimate of \$219,311,142 to the base amount of \$205,403,512 included in Exhibit E of the amended PPA.

Response: Please see Deepwater Wind's response to the Division's first set of data requests and the testimony of William Moore filed on July 15, 2010 at page 13, line 19 through page 15, line 2.

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Comm. 1-7: Please provide a detailed itemization of the base amount of \$205,403,512.

Response:

	<b><u>BIWF Capital</u></b> <b><u>Budget</u></b>
ENGINEERING DESIGN	
01 Structural Engineering	
02 Topside Engineering - Electrical	
Engineering Subtotal	3,575,676
FABRICATION AND SUPPLY	
03 Jacket Fabrication	
04 Pile Fabrication (72")	
05 Pile Template Fabrication	
06 Transition Piece Fabrication	
07 WTG Supply	
08 Electrical Supply	
09 Offshore Transportation - Template and Piles	
10 Offshore Transportation - Jacket and TP	
11 Offshore Transportation - WTG	
Fabrication and Supply Subtotal	140,015,029
OFFSHORE INSTALLATION	
12 Offshore Installation - Template and Piles	
13 Offshore Installation - Jacket and Grouting	
14 Offshore Installation - Cable	
15 Offshore Installation - Utility System	
16 Offshore Installation - WTG	
17 Offshore Hookup	
Offshore Installation Subtotal	29,096,940
PROJECT MANAGEMENT AND INSPECTION	9,719,339
INSURANCE DURING CONSTRUCTION	3,088,633
DEVELOPMENT	10,000,000
FINANCING COSTS	9,907,895
<b>TOTAL COSTS</b>	<b><u><u>\$205,403,512</u></u></b>

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Comm. 1-8: Please provide a detailed development/construction timeline for this project assuming the Commission approves the amended PPA at open meeting on August 11, 2010. The response should include both the 8 turbine wind farm, the cable from the wind farm to Block Island and the cable from Block Island to the mainland.

Response: Please see Deepwater Wind's response the Commission's Second Set of Data Requests in Docket 4111, Comm. 2-5.

The schedule referenced in Comm. 2-5 remains largely unchanged. Much of the environmental data collection, surveying and analysis, which Deepwater Wind began in 2009, has continued. The timeline proposes a commercial operations date for the Block Island Wind Farm in the fourth quarter of 2012. This commercial operations date is based on several assumptions, including that the Commission's approval of the New PPA is not appealed, that the State's SAMP process is completed in 2010 and that Federal permits can be obtained in a timely fashion.

Failure to meet the proposed 2012 commercial operations date will mean that the project will not be eligible for certain federal payments in lieu of tax credits for renewable energy facilities pursuant to the Stimulus Bill (Sec. 1603 of the ARRA of 2009). It is important to note, however, that failure to meet that commercial operations date is a risk that is solely assumed by Deepwater Wind. The New PPA price does not change.

Development/Construction Timeline

Environmental Permitting	
1. SAMP Process	Q2, 2008 – Q4, 2010
2. Federal Permits	Q1, 2010 – Q2, 2011
Wind Data Collection	Q2, 2009 – Q2, 2012
Foundation Engineering and Design	Q3, 2010 – Q2, 2011
Procurement and Installation of Turbines	Q4, 2010 – Q3, 2012
Procurement of Transmission Cable	Q4, 2010 – Q2, 2011
Mainland Transmission Cable Installation	Q3, 2011 – Q2, 2012
Marine Transmission Installation	Q2, 2012 – Q3, 2012
Other Construction Activities	Q1, 2010 – Q4, 2012

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Comm. 1-9: Please indicate whether it is likely the project will achieve a full year of operation in 2013.

Response: Deepwater Wind remains optimistic that it will be able to complete construction in 2012.

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Comm. 1-10: Please provide any information known to Deepwater relating to large abandoned U.S. wind farms.

Response: Deepwater Wind does not have any specific information relating to large abandoned U.S. wind farms.

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Comm. 1-11: National Grid's response to Division data request 1-1(a) stated there is no standard of prudence included in the PPA's verification and Reconciliation Provision. What then, is the appropriate standard that would be used to verify costs?

Response: The verification agent will determine whether the costs were actually incurred in constructing the project, supported by documentation, and whether there were any errors in calculating the costs. This is consistent with the statute that required an amendment to the PPA that provided for the costs to be certified and verified for accuracy.

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Comm. 1-12: In light of National Grid's response to Division Data Request 1-8 that there is no prudence standard outlined in the statute or the PPA, how are Rhode Island ratepayers protected from "gold-plating" of the project in the event that the developer could have reasonably reduced costs to, for example, \$155,403,513 but chose not to, and incurred total facility costs of, for example, \$210,403,512?

Response: Please see the testimony of William Moore filed on July 15, 2010 at page 15, line 11 through page 16, line 5.

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Comm. 1-13: Deepwater's July 1, 2010 intervention letter states that Rhode Island has already benefited because of "interest shown by some of the world's largest manufacturing companies to locate factories in Rhode Island for wind turbine assembly, submarine cable manufacture and related business activities".

- a. Please identify the companies.
- b. Please provide copies of written commitments by these companies to locate facilities or to make investments in Rhode Island.
- c. Please quantify the value of the commitments with detailed calculations and supporting documentation.

Response: a. Deepwater Wind has introduced cable manufacturers and turbine suppliers to the Rhode Island Department of Economic Development and the Quonset Development Corporation. These companies include:

- Mitsubishi Corporation
- JDR, Ltd.
- XEMC New Energy Co., Ltd.
- Two turbine manufacturers who have requested that their names be kept confidential.

b. Deepwater Wind has received no written commitments from these parties. Deepwater Wind has discussed, and continues to discuss, with vendors and suppliers, the merits of locating facilities in Rhode Island. Assisting Rhode Island in attracting companies and investments remains a Deepwater Wind priority.

c. N/A.

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Comm. 1-14: Deepwater's July 1, 2010 intervention letter states in part: "Block Island wind farm...will displace...the least efficient, and most costly to operate, conventional generating units operating on the margin in the regional generating system."

- a. Please identify which units will be displaced.
- b. Please provide support for the statements that the displaced units are:
  - i. The least efficient.
  - ii. The most costly to operate.

Response: a. Deepwater Wind's statement was premised on the concept that when generation units are dispatched, the dispatch is done based on operating costs. The operating costs of a wind farm are cheaper than conventional units. Accordingly, when the Block Island Wind Farm is dispatched, a like amount of those conventional units will not be dispatched. See "Analysis of the Impact of Southern New England Off Shore Wind on New England Energy Prices", Charles River Associates, filed in response to CLF Record Request 1 in Docket 4111.

- b. Please see Response to 1-14(a).



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Comm. 1-15: The July 1, 2010 letter from Deepwater indicates that the current project cost estimates a target 10.5% rate of return.

- a. Is this different from the rate of return target in Docket 4111 (see specifically confidential response to DIV Data Request 1-17, page 2 of 3)?
- b. If the rate of return is different, please reconcile and explain.
- c. What is the appropriate bandwidth for the cost estimate of a project of this nature? For example, the cost of the project is estimated to \$1,000 +/- 25%, yielding an expected cost between \$750 and \$1,250.

Response:

- a. Please see the testimony of William Moore filed on July 15, 2010 at page 10, lines 1-10; and page 13, line 19 through page 15, line 2.
- b. Please see the testimony of William Moore filed on July 15, 2010 at page 10, lines 1-10; and page 13, line 19 through page 15, line 2.
- c. Please see the testimony of William Moore filed on July 15, 2010 at page 10, line 19 through page 15, line 9.

The accuracy of cost estimates is generally a function of the stage of the project. As more information is known, and as the project begins actual procurement, the estimating becomes more accurate.

In this case, the ratepayer is protected from increases in cost and receives all of the benefits of any reductions in cost.

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Comm. 1-16: The amended legislation describes the 8 turbine project as a demonstration project. In light of this description, please specify the operational or other outcomes that the project must demonstrate in order for Deepwater to proceed with the utility scale project. In responding to this question, provide the associated time frames that are expected to be necessary to draw any conclusions.

Response: Please see the testimony of William Moore filed on July 15, 2010 at page 4, line 15 through page 7, line 20.

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Comm. 1-17: In a letter dated July 1, 2010 to the Commission, Deepwater, by way of counsel, states that the recently amended statute (39-26.1-7) “provides clarity on the appropriate standard of review for the New PPA”. It further states, “the commercial reasonableness of the New PPA is to be determined by reference to a project of similar size, technology and location, and meeting the policy goals in the New Law”. Please identify with specificity all projects of similar size, technology and location to the proposed New Shoreham demonstration project.

Response: The statute states that “...for purposes of this section, “commercially reasonable” shall mean the terms and pricing that are reasonably consistent with what an experienced power market analyst would expect to see for a project of similar size, technology and location, and meeting the policy goals ...”) emphasis added. Accordingly, the standard does not require reference to specific projects.

Please see the testimony of David Nickerson filed on July 15, 2010 at page 3, lines 5-19; and page 4, lines 12-23.

### **CERTIFICATION**

I hereby certify that on July 20, 2010, a copy of the within was sent to all parties set forth on the attached Service List by electronic mail and copies were sent to Luly Massaro, Commission Clerk, by electronic mail and hand delivery.

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