

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

**REVIEW OF POWER PURCHASE AGREEMENT
BETWEEN THE NARRAGANSETT ELECTRIC COMPANY
D/B/A NATIONAL GRID
AND CHAMPLAIN WIND, LLC**

Docket 4437

PREFILED TESTIMONY

Of

NEIL KIELY

For

CHAMPLAIN WIND, LLC

OCTOBER 4, 2013

1 **Q. Please state your name and business address.**

2 A. My name is Neil Kiely, and my business address is 129 Middle Street, 3rd Floor, Portland,
3 Maine 04101.

4

5 **Q. Please describe your general background and qualifications.**

6 A. I am the lead developer of the Bowers Wind Project. I have served as a Developer for First
7 Wind Holdings, LLC ("First Wind") since 2009 working on a number of wind projects and more
8 recently, solar projects. As a developer, I am responsible for all aspects of the development of
9 wind energy and solar facilities including site identification, real estate acquisition, civil design,
10 permitting and pre-construction planning. Prior to joining First Wind, I practiced law in
11 Washington, D.C. and Maine before founding and operating companies in the real estate
12 development and commercial financing industries.

13

14 **Q. Please state your relationship with Champlain Wind, LLC.**

15 A. I am a Director of Development in New England at First Wind, the ultimate parent company
16 of Champlain Wind, LLC ("Champlain Wind").

17

18 **Q. What is the purpose of your testimony in this docket?**

19 A. In this docket, the Narragansett Electric Company d/b/a National Grid ("National Grid")
20 submitted a Power Purchase Agreement ("PPA") with Champlain Wind to the Rhode Island
21 Public Utilities Commission (the "Commission") for review and approval. I am testifying in
22 support of National Grid's request for approval, and I am also requesting that the Commission
23 approve the PPA.

24

25

1 **Q. Please provide a brief description of the Bowers Wind Project.**

2 A. On June 29, 2012, National Grid issued a Request for Proposals for Long-Term Contracts for
3 Renewable Energy Projects (“RFP”). Champlain Wind proposed the Bowers Wind Project in
4 response to the RFP.

5
6 The Bowers Wind Project is currently planned as a 48 MW land-based wind project located in
7 Carroll Plantation and Kossuth Township, Maine consisting of 16 Siemens turbines rated at 3
8 MW each. The 115 kV interconnection to the ISO-NE Pool Transmission Facilities is located at
9 the Keene Road Substation. The PPA with National Grid provides for project flexibility including
10 an alternative layout comprised of 15 Vestas turbines rated at 3.3 MW each, for a total
11 nameplate capacity of 49.5 MW.

12
13 National Grid chose the Bowers Wind Project after evaluating the proposals submitted in
14 response to the RFP. The parties subsequently entered into negotiations, and on August 2,
15 2013, National Grid and Champlain Wind executed the PPA that National Grid submitted to the
16 Commission for review and approval. (See Exhibit 1 to Corrine M. Abrams Direct Testimony)

17
18 **Q. Please describe Champlain Wind’s experience with constructing and operating projects of
19 this nature.**

20 A. Champlain Wind is a wholly-owned, indirect subsidiary of First Wind. First Wind is the most
21 experienced utility scale wind energy developer and operator in New England. First Wind has
22 successfully developed, financed, built, and now owns and operates six utility scale wind energy
23 projects in New England, totaling 259 MW. Five of those projects, totaling 219 MW, now
24 operate in Maine. First Wind has developed a robust supply chain in Maine and throughout
25 New England to quickly mobilize construction activities. First Wind’s extensive and direct

1 experience in New England and Maine confirms its ability to implement the Bowers Wind
2 Project plan, including financing, building and operating the project, and delivering cost-
3 effective energy and capacity under the terms of the PPA.
4

5 **Q. What is the projected commercial operation date of the Bowers Wind Project?**

6 A. March 31, 2017.
7

8 **Q. Can Champlain Wind secure the financing necessary to complete the Bowers Wind Project
9 by the proposed operation date?**

10 A. Yes. As set forth in Champlain Wind's response to Comm. 1-1, all development financing for
11 the Bowers Wind Project has been handled by First Wind, the ultimate indirect parent of
12 Champlain Wind, LLC. First Wind will also be responsible for securing Champlain Wind
13 construction financing for the Bowers Wind Project. To date, First Wind has successfully
14 financed five grid-scale projects in Maine utilizing a combination of First Wind equity and third-
15 party debt financing to fund construction. First Wind expects that the majority of the Bowers
16 Wind Project's construction financing will, as was the case with its other utility scale projects in
17 Maine, be provided by third-party debt and/or tax equity with a portion (typically in the range
18 of 20% to 30%) funded with First Wind equity.
19

20 **Q. Has Champlain Wind begun the permitting process?**

21 A. Yes. After complete review of Champlain Wind's permit application, the Maine DEP found
22 that the Bowers Wind Project satisfied every criteria except the scenic impact standard and
23 issued a denial of the permit. The scenic impact standard finding was not supported by the
24 record and was in direct opposition to undisputed expert testimony, including the DEP's own
25 third party expert, all of which established that the project satisfies the scenic impact standard.

1 **Q. Does Champlain Wind have a plan for an appeal and for completing the permitting process**
2 **considering the Maine DEP denied the permit?**

3 A. Champlain Wind has appealed the denial to the Board of Environmental Protection (the
4 “BEP”). Champlain Wind is appealing on several grounds, including that the record evidence,
5 including the undisputed evidence of the DEP’s own third-party expert, establishes that the
6 project satisfies the scenic impact standard, which was the sole basis for the denial. Based on
7 the time frames of a recent successful appeal of another wind project to the BEP, Champlain
8 Wind expects the BEP to hear and deliberate on the appeal in late December, 2013 or January,
9 2014 and, based on the legal and factual issues raised in the appeal, grant the appeal and direct
10 the DEP to issue a draft decision approving the project. The DEP will issue a draft approval for
11 the project for adoption by the BEP, which we expect would occur by May, 2014. If the BEP
12 appeal is unsuccessful, Champlain Wind will be able to appeal to the Law Court (the highest
13 court in Maine). Champlain Wind estimates that even if an appeal to the Law Court is
14 necessary, the process would be complete and a final, non-appealable permit would be in place
15 by the December 15, 2015 milestone in the PPA. Champlain Wind believes that the time
16 necessary for all appeals to run is reflected in the PPA milestones, and that the Bowers Wind
17 Project will be more likely than not to come on line by the March 31, 2017 commercial
18 operation milestone.

19

20 **Q. Please describe any other steps Champlain Wind has taken to meet the proposed**
21 **operation date.**

22 A. Champlain Wind has completed many critical threshold activities to meet the commercial
23 operation date, including the evaluation of meteorological data, acquisition of land rights,
24 submission of the interconnection request and commencement of the study work, and
25 preliminary civil and electrical analysis and design.

1 **Q. Please describe the benefits of the Bowers Wind Project.**

2 A. As a newly developed land based wind project, the Bowers Wind Project will provide clean,
3 renewable energy consistent with the purpose of Long Term Contracting Standard for
4 Renewable Energy. Specifically, the Bowers Wind Project will stabilize long term energy prices
5 through a cost-effective, fixed price for energy and RECs; will serve Rhode Island load without
6 emitting air or water pollution; and, provide economic and community benefits through
7 associated programs designed to advance renewable energy research and education in Rhode
8 Island.

9

10 **Q. Have you read the pre-filed testimony Corinne M. Abrams filed in this matter, dated**
11 **September 3, 2013?**

12 A. Yes I have.

13

14 **Q. Do you have anything to add to Ms. Abrams's testimony, other than the information set**
15 **forth above?**

16 A. No, not at this time. However, I am available for further questions and to provide additional
17 information at the public hearing in this Docket.

18

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

20 A. Yes.

CERTIFICATION

I hereby certify that on October 4, 2013, I sent a copy of the within to all parties set forth on the attached Service List by electronic mail and copies to Luly Massaro, Commission Clerk, by electronic mail and regular mail.

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