

## Requirements For Form of Multi-State Bids

*Pursuant to the Offshore Wind Multi-State Coordination Memorandum of Understanding By and Among the States of Connecticut and Rhode Island and the Commonwealth of Massachusetts (“Parties”)*

This Multi-State Proposal Form (“Form”) outlines how to submit a Multi-State Bid for consideration following the Offshore Wind Multi-State Coordination Memorandum of Understanding (“MOU”), dated as of October 3<sup>rd</sup>, 2023.<sup>1</sup> Multi-State Bids will be evaluated by the Parties, or their respective electric distribution companies (“EDCs”), as applicable, in accordance with the MOU. Multi-State Bids allow a Bidder to submit a project to two or more Parties to the MOU, or their respective EDCs, for the Parties and their respective EDCs to consider selecting together and apportioning the megawatts amongst them.

**Bidding Requirements:** A Bidder may submit a Multi-State Bid to two or more of the participating Parties, or their respective EDCs, pursuant to the MOU at the Bidder’s choosing. Bidders who would like to submit a bid to one Party or its EDC that is valid only if a bid to a separate Party or its EDC is selected, must use this Multi-State Bid Form. **To submit a Multi-State Bid, Bidders must submit the bid information to all Parties, or their respective EDCs, to which the bid is being offered in the format that the respective Parties or their respective EDC is accepting bids in, and comply with all of the respective Party’s or EDC’s bid requirements, including any required bid fee(s). In addition, the Bidder must submit the information listed below under “Multi-State Proposal Required Information” as part of each RFP application.** However, the total MW offered in any Multi-State Bid can exceed the Request for Proposals (“RFP”) bid size and procurement limit of an individual receiving Party, or its respective EDC, provided that the total MW offered is within the combined procurement authority of all Parties, or their respective EDCs, for which the project has submitted a Multi-State Bid. The Parties, or their respective EDCs, receiving the Multi-State Bid could, if they choose to select the bid, apportion the total MW between the Parties consistent with their individual procurement authorities as set forth in each Party’s, or its respective EDC’s, RFP. In the case of a Multi-State Bid, the single Party contract limits would apply after a Multi-State Bid is apportioned out, *i.e.*, Massachusetts’s share of a multi-state project cannot exceed 2,400 MW, Rhode Island’s cannot exceed approximately 1,200 MW, and Connecticut’s cannot exceed 2,000 MW. Multi-State Bids must be submitted to each Party or their EDCs, as applicable, in compliance with the individual RFPs, *i.e.*, no later than Wednesday, January 31, 2024, at 12:00 (noon) EST, unless extended by mutual agreement of all Parties, and their respective EDCs, pursuant to each Party’s RFP.

**Preference for Multi-State Bids to Reconcile Single-State Bids to Multiple Parties:** Bidders wishing to submit Single-State Bids to multiple Parties participating in the Multi-State MOU are strongly recommended to submit a Multi-State Bid if any of their Single-State Bids are

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<sup>1</sup> MOU available at: [https://www.mass.gov/doc/ma-ri-ct-offshore-wind-procurement-collaboration-memorandum-of-understanding/download?\\_gl=1%2A1v0wbf0%2A\\_ga%2ANzUwNDI5MDE3LjE2NTA5ODEyMjQ.%2A\\_ga\\_SW2TVH2WBY%2AMTY5NjM3MzE1My44OS4xLjE2OTYzNzMzMDEuMC4wLjA](https://www.mass.gov/doc/ma-ri-ct-offshore-wind-procurement-collaboration-memorandum-of-understanding/download?_gl=1%2A1v0wbf0%2A_ga%2ANzUwNDI5MDE3LjE2NTA5ODEyMjQ.%2A_ga_SW2TVH2WBY%2AMTY5NjM3MzE1My44OS4xLjE2OTYzNzMzMDEuMC4wLjA).

negatively contingent, i.e., mutually-exclusive, as envisioned in Section I.B. of the Multi-State MOU. The recommended Multi-State Bid should be designed to reconcile any and all negatively contingent Single-State Bids (i.e., any Single-State Bids that are mutually exclusive). For example, if a Bidder submits an identical physical project as Single-State Bids to multiple Parties and/or their respective EDCs such that all Single-State Bids could *not* be selected simultaneously, the Bidder is strongly recommended to also submit a Multi-State Bid for that physical project in order to allow the Parties or their respective EDCs to choose, pursuant to the Multi-State MOU and this Form, how to apportion the project. Please see [Appendix A](#) to this Form for examples demonstrating the situations in which a Multi-State Bid is recommended and in which certain types of Multi-State Bids that create negative contingencies are not recommended. If a Bidder does not submit a Multi-State Bid to resolve negative contingencies in their Single-State Bids, the Parties will make decisions about any potential selection or non-selection of the Single-State Bids following mutual consultation and at the Parties' and/or their EDCs' sole discretion.

**Project Apportionment by the Parties:** The decision about how the Parties, or their respective EDCs, receiving a Multi-State Bid would apportion a Multi-State Bid project between themselves will be made only by the Parties, or their respective EDCs, and cannot be dictated by the Bidder as a condition of selecting a Multi-State Bid by any Party or its EDC. The default apportioning will be based on the proportional load share of each Party based on the most recent annual load from ISO-NE, although the final apportioning will be determined by the participating Parties, or their respective EDCs, pursuant to Section II(C) of the MOU.

**Bid Fees:** For Multi-State Bids, bid fees are required to be paid to all receiving Parties, or their respective EDCs, if required by the applicable RFP. For the purposes of bid fees, a Multi-State Bid will be treated the same as a Single-State Bid and subject to any applicable bid fees under each Parties', or their respective EDC's, RFP criteria, including any applicable bid fees for unique physical projects or pricing alternatives. If the Multi-State Bid is identical to a Single-State Bid submitted to the receiving Party(s) or their respective EDCs, other than the proposal to enable multiple Parties or their respective EDCs to apportion the bid, the bidder must identify that the Single-State Bid is identical.

**Confidential Information Sharing Among Parties:** Information from all Multi-State Bids will be shared with all participating Parties to the MOU, and their respective EDCs, following the confidentiality provision included in the MOU and each respective Party's, or their respective EDCs', RFP.

**Pricing Requirements:** Multi-State Bids must provide the same base price for energy and environmental attributes to all Parties to which the Bidder is offering the bid, or their EDCs as applicable, and must conform to all pricing requirements of the respective RFPs for the receiving Parties, or their respective EDCs, including submission of a Certification Project and Pricing Data (CPPD) form if required. If a Multi-State Bid includes an indexed price option, the indexed price option must conform to the requirements of the Massachusetts 83C IV RFP

regarding Indexed Price Bids.<sup>2</sup> For any Multi-State Bid with an indexed price that is selected and contracted, the Massachusetts 83C IV Indexing Adjustment Mechanism will be used to adjust the base price, but the indexing adjustment will occur one year following regulatory approval of the contracts in each respective State.<sup>3</sup>

**Severable Commitments:** If a Multi-State Bid is offering a price difference between Parties or their respective EDCs for a severable aspect of the bid (*e.g.*, economic development or environmental mitigation), Bidders must provide the nominal annual dollar amount necessary of the severable aspect such that a \$/MWh price can be calculated by the Parties, or their respective EDCs, after the Multi-State Bid project is apportioned by the Parties and their respective EDCs as appropriate such that the base price is the same for all Parties, or their respective EDCs, included in the Multi-State Bid. The Parties discourage Bidders from submitting severable aspects of bids but are not disallowing it.

**Evaluation of Multi-State Bids:** Pursuant to the MOU, the Parties, and their respective EDCs if applicable, agree to consider a Multi-State Bid if such participation and coordination has a positive or neutral impact on such Party's or its EDC's ratepayers, and would provide other benefits, including but not limited to, improving project viability. Each Party, and its respective EDCs if applicable, will evaluate the Multi-State Bid utilizing their own evaluation team, but may collaborate and discuss as needed with the other Parties' evaluation teams. If a Multi-State Bid is identical to a Single-State Bid, the receiving Parties agree to consider the proposal as a Multi-State Bid first, consistent with the MOU.

### **Multi-State Proposal Required Information**

This section provides an overview of the Multi-State Bid and is to be completed and submitted **in addition to** the requirements and forms for submitting the Multi-State Bid to all receiving Parties or their respective EDCs following the full RFP requirements of those respective Parties or their respective EDCs.

- 1. Name of Multi-State Bid Project and Developer**
- 2. States Receiving the Multi-State Bid** (indicate with X and list applicable EDC<sup>4</sup>):

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<sup>2</sup> Consistent with the Massachusetts 83C IV RFP Indexing Adjustment Mechanism Information Filing: <https://macleanenergy.files.wordpress.com/2023/10/d.p.u.-23-42-section-83c-rfp-indexing-adjustment-mechanism-inf.pdf>.

<sup>3</sup> *E.g.*, For the Massachusetts portion of a Multi-State Bid project, the Indexing Adjustment will occur one year following the final Massachusetts Department of Public Utilities approval of the contract pursuant to Section 2.2.1.5. of the MA 83C IV RFP. Connecticut's portion of a Multi-State Bid project will be adjusted one year following the final CT PURA approval of the contract pursuant to Section 2.2.14.1 of the CT RFP. Rhode Island's portion of a Multi-State Bid project will be adjusted one year following the final Rhode Island PUC approval.

<sup>4</sup> For Rhode Island: Rhode Island Energy; For Connecticut: The United Illuminating Company and The Connecticut Light & Power Company; For Massachusetts: Eversource, National Grid, and Unitil.

Connecticut/EDC	Massachusetts/EDC	Rhode Island/EDC

**3. Single-State Bids** (if any)

*Please fill out the table below with information regarding any and all Single-State Bids submitted by the Bidder.*

Project	Receiving Party	Capacity (MW)	Lease Area	POI	Identical Bids (if any) <i>(describe if the proposed project is physically identical to any other submitted Single-State or Multi-State Bids)</i>

**4. Project Base Price** (please specify if Indexed Price Bid)

*Please note the project price of a Multi-State Bid must be identical for all receiving Parties, or their respective EDCs, and any Indexed Price Multi-State Bid must conform to Massachusetts requirements, as outlined in this Form.*

**5. Total Project Size, Commercial Operation Date, and Phasing** (if any)

**6. Severable Commitments for Economic Development and/or Environmental Mitigation** (if any)

**7. Other Information**

*Please include any additional information regarding the Multi-State Bid that you wish the Parties, or their respective EDCs, to consider.*

## Appendix A

This Appendix provides examples illustrating the situations in which Multi-State Bids are strongly recommended to *resolve* negative contingencies in Single-State Bids; and in which certain types of Multi-State Bids that *create* negative contingencies are strongly discouraged. The examples provided here are illustrative and not exhaustive.

Consider: *State X, State Y, State Z*

*Developer has two physically distinct projects, Project Red and Project Blue. Both have 1200 MW capacity.*

	Single State Bids			Preferred Multistate Bids	Discouraged Multistate Bids (illustrative)
	To State X	To State Y	To State Z		
<b>Case 1</b>	400 MW Red	400 MW Red	400 MW Red	1200 MW Red to X, Y, and Z	1200 MW Red to X and Y
<b>Case 2</b>	800 MW Red	800 MW Red	400 MW Red	800 MW Red to X and Y <u>or</u> 1200 MW Red to X, Y, and Z	1200 MW Red to X and Y
<b>Case 3</b>	800 MW Red	800 MW Red	800 MW Red	800 MW Red to X, Y, Z <u>and</u>	800 MW Red + 800 MW Blue to X and Y
	800 MW Blue	800 MW Blue		800 MW Blue to X and Y	1200 MW Red + 1200 MW Blue to X and Y
	(separate bids)	(separate bids)		<u>or</u>	
				800 MW Red + 800 MW Blue to X, Y, Z	
				<u>or</u>	
				1200 MW Red + 1200 MW Blue to X, Y, Z	