

Simon V. Kinsella et al v. Long Island Power Authority et al
Suffolk County Supreme Court, July 15, 2021 (index: 000613/2021)

Amended Complaint (September 13, 2021)

Document Reference oswSouthFork.info	Short Name	Document Name	PSC DMM Item No. (hyperlink)	on Source Website (hyperlink)
Complaint	Amended Complaint (September 13, 2021)			
Exhibit A	State of New York Public Service Commission ORDER Denying Rehearing (issued August 12, 2021)			
Exhibit B	Public Service Law, Section 128 Letter of Demand (dated September 13, 2021)			
Appendix A	List of documents incorporated by reference (NYSPSC DMM)			
Appendix B	LIPA AC340 Contract Encumbrance Request to NY OSC, Power Purchase Agreement, Estimated Contract Value, executed January 30, 2017 (at p. 1)			
Appendix C	Ørsted A/S Press Release- Sunrise Wind signs power purchase agreement with New York (October 23, 2019)			
Appendix D	LIPA SFWF "Fact Sheet" - Chart: Developing OSW Industry showing manipulated comparison between SFWF and Skipjack.			

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Exhibits

Exhibit 00	List of documents incorporated by reference (NYSPSC DMM)			
Exhibit 01	Table of Exhibit & Appendices			
Exhibit 02	LIPA Est. Contract Value (\$1.6 billion)	LIPA AC340 Contract Encumbrance Request to NY OSC, Power Purchase Agreement, Estimated Contract Value, executed January 30, 2017 (at p. 1)	257 (p. 3) (Exhibit K)	
Exhibit 03	Ørsted- Sunrise Wind PPA	Ørsted A/S Press Release- Sunrise Wind signs power purchase agreement with New York (October 23, 2019)	007 (p. 3) (Exhibit N)	Ørsted
Exhibit 04	Chart: Dev. OSW Industry	LIPA SFWF "Fact Sheet" - Chart: Developing OSW Industry showing manipulated comparison between SFWF and Skipjack.		
Exhibit 05	LIPA SFWF "Fact Sheet"	LIPA South Fork Wind Farm "Fact Sheet" (October 28, 2019).	189 (p. 6) (Exhibit G)	LIPA
Exhibit 06	PFAS Contamination	PFAS Contamination at East Hampton Airport and Wainscott Sand and Gravel		

Document Reference (oswSouthFork.info)	Short Name	Document Name	PSC DMM Item No. (hyperlink)	on Source Website (hyperlink)
Exhibit 07	SF RFP Evaluation Guide	PSEG Long Island's South Fork Resources RFP Evaluation Guide (December 1, 2015)		
Exhibit 08	LIPA Memo Re- SF RFP	Memo Re: LIPA's 2015 RFP for South Fork Resources, from LIPA to NY Office of the State Comptroller (Jan 2017)		
Exhibit 09	WESC EFOR of OSW	WESC Report: Calculation of Effective Forced outage Rate of Offshore Wind (DWW100) and Offshore Wind and Battery (DWW100+LIE400) meta-dated August 2, 2016.		
Exhibit 10	Deepwater OSW Analysis	South Fork RFP Deepwater Offshore Wind Proposal, EFOR Analysis, meta-dated January 20, 2017		
Exhibit 11	PSEG LI- Trans'n Needs	PSEG Long Island (Robert G. Grassi) Response to Request for Proposed Transmission Needs from the New York Independent System Operator ("NYISO"), October 2, 2020.	007 (p. 1) (Exhibit K)	
Exhibit 12	LIPA- Transmission Needs	LIPA Letter to NYS PSC Chairman, John Rhodes, Re-Proposed Public Policy Transmission Needs ("PPPTN"), Consideration for 2018, dated July 30, 2020	007 (p. 4) (Exhibit L)	
Exhibit 13	South Shore Landfalls	Deepwater Wind Email (Plumber) to East Hampton Town Supervisor Cantwell of May 12, 2017 (DWSF 001903 at pp. 226-228)	157 (p. 1) (Part 10)	
Exhibit 14	BIWF Output & Capacity	Deepwater Wind Block Island Wind Farm (now operated by Ørsted), Output and Capacity Data from the U.S. Energy Information Administration (www.EIA.gov)		US EIA
Exhibit 15	GSOE I OCS-A-0482	Assignment to GSOE I LLC of Skipjack BOEM Lease OCS-A-0482, effective date: December 20, 2016.		BOEM
Exhibit 16	Skipjack OCS-A-0482	Assignment to Skipjack Offshore Energy LLC of BOEM Lease OCS-A-0482, effective date: June 12, 2018.		BOEM
Exhibit 17	Maryland OSW Evaluation	Evaluation and Comparison of US Wind and Skipjack Proposed Offshore Wind Project Applications (March 17, 2017)		
Exhibit 18	PSEG LI Resp IR SK #19	Response to Discovery Request: PSEG Long Island SK # 019 Subject- Conflict of Interest (March 13, 2020)		
Exhibit 19	DPS Staff Cross-Examination	DPS Staff Panel Cross-Examination by Mr. Kinsella on December 7, 2020 (pp. 566-724)	227 (p. 1) (Transcript)	
Exhibit 20	Petition for Rehearing	PSC Case 18-T-0604 - Petition for Rehearing and Stay by Kinsella, dated April 16, 2021		
Exhibit 21	South Fork RFP, Jun 2015	Request for Proposals for South Fork Resources issued by PSEG Long Island LLC on June 24, 2015 (version of July 2, 2015)	189 (p. 4) (Exhibit A)	PSEG LI
Exhibit 22	Renewable RFP, Dec 2015	Request for Proposals for New Renewable Capacity and Energy issued by PSEG Long Island December 22, 2015		PSEG LI
Exhibit 23	Awards- Renewable RFP	Renewable RFP Project Award (last updated June 30, 2021): LI Solar Generation LLC, Solar Photovoltaic (22.9 MW)		PSEG LI
Exhibit 24	Notice to Proposers	South Fork RFP Cover Letter, Notice to Proposers, by Paul Napoli, VP Power Markets, PSEG Long Island (June 24, 2015).	007 (p. 1) (Exhibit H)	PSEG LI

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Exhibit 25	LIPA Ltr to Bjurlof	LIPA Letter to Mr. Bjurlof (from Michael Deering) dated July 9, 2018		
Exhibit 26	DPS Resp to HIFI #1	Deepwater Wind Art. VII (docket 18-T-0604), Information Request HIFI-1 to NYS PSC (from Mr. Bjurlof) Re- South Fork RFP, and response dated of October 21, 2019		
Exhibit 27	XI.16 Vendor Responsibility	State Finance Law, Section 163(c)- Factors Affecting a Vendor's Responsibility		
Exhibit 28	PACB Demand Letter	PACB - Demand Letter Re LIPA Action (Feb 27, 2021)		
Exhibit 29	LIPA Minutes Jan 25, '17	LIPA Board of Trustees, 266th Meeting Minutes of January 25, 2017		LIPA
Exhibit 30	Newsday- LIPA Approves Deepwater	LIPA Approves Deepwater - \$740 million for 90 MW (Newsday, Jan 25, 2017)		Newsday
Exhibit 31	WSJ- New York's First Offshore Wind Farm	New York State's First Offshore Wind Farm (Wall Street Journal, Jan 25, 2017)		Wall Street Journal
Exhibit 32	Express News - LIPA Approves Wind Farm	LIPA Approves \$740 Million Wind Farm to Power the South Fork (Express News Group, Jan 24, 2017)		Express News Grp
Exhibit 33	Nation's Largest Offshore Wind Farm Off LI	Nation's Largest Offshore Wind Farm Off Long Island (New York Times, Jan 25, 2017)		New York Times

Appendices				
Appendix A	NYSERDA OSW RFP (2018)	NYS Energy Research and Development Authority ("NYSERDA"), Purchase of Offshore Wind ("OSW") ORECRFP18-1, released November 8, 2018	205 (p. 1) (Exhibit 3-6)	NYSERDA
Appendix B	Hazardous Materials Analysis	Deepwater Wind Art. VII (docket 18-T-0604), Appendix F Part 2, Phase I Environmental Assessment, Hazardous Materials Desktop Analysis (dated March 30, 2018)	001 (p. 33) (F- Part 2)	
Appendix C	Maryland PSC- Skipjack	Maryland Public Service Commission, Order No. 88192, Re-Skipjack Offshore Energy LLC, issued May 11, 2017	170 (p. 1) (Exhibit Q)	Maryland PSC 88192
Appendix D	Deepwater Art. VII Application	Deepwater Wind Art. VII Application (docket 18-T-0604), dated September 14, 2018	001 (p. 2) Application	
Appendix E	Order Adopting JP	Deepwater Wind Art. VII (docket 18-T-0604), Order Adopting Joint Proposal issued March 18, 2021	271 Order Adopting JP	
Appendix F	Deepwater PPA (executed Feb 6, 2017)	PPA between LIPA & Deepwater Wind South Fork LLC, executed February 6, 2017 (note: Table 4-1 Contract Price redacted in NY OSC PPA version).	189 (p. 1) (Exhibit 03)	NY OSC (C000883)
Appendix G	Kinsella v NY OSC	<i>Simon V. Kinsella v. Office of the New York State Comptroller</i> , Albany County Courts, July 2019, index 904100-19)	189 (p. 1) (Exhibit 01)	
Appendix H	Awards- SF RFP	South Fork RFP, Projects with Purchase Power Agreements (last updated: June 30th, 2021)		PSEG LI

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Appendix I	PPA Amend. No 2 (40 MW)	PPA Amendment No. 2 (between LIPA and South Fork Wind) for expanded power generating capacity of forty megawatts (40 MW) executed September 20, 2020.		
Appendix J	FOIL- OSC # 2018-694	NY OSC FOIL Request Re- Deepwater Wind PPA and Amendments incl. Contract Price (# 2018-694)		
Appendix K	FOIL- OSC # 2020-628	NY OSC FOIL Request Re- Deepwater Wind PPA Amendments incl. Contract Price (# 2020-628)		
Appendix L	PSEG LI IR SK # 32	Motion to Compel PSEG Long Island to Respond to Information Request SK # 32	170 (p. 5) (Motion)	
Appendix M	PSEG LI Resp IR SK #32	PSEG Long Island's Response to Information Request: SK #32- Basis of Determination of Award (response: September 3, 2020)	170 (p. 4) (Exhibit C)	
Appendix N	DPS Staff Testimony	Prepared Testimony of Department of Public Service Staff, dated October 9, 2020	187 (p. 1) (Testimony)	
Appendix O	Motion to Reopen (Jan 2021)	Motion to Reopen the Record (January 13, 2021)	240 (p. 2) (Motion)	
Appendix P	Motion to Reopen- Supp	Motion to Reopen the Record - Supplemental Information (January 29, 2021)	257 (p. 3) (Motion)	
Appendix Q	Testimony Part 2	Testimony Part 2 of Kinsella - Public Interest, Need & Price (October 9, 2020)	189 (p. 1) (Testimony)	
Appendix R	Motion to Strike, Resp	Motion by South Fork Wind to Strike Testimony, Response by Simon Kinsella (November 16, 2020)	217 (p. 1) (Response)	
Appendix S	2017 State of the State by Governor Cuomo	2017 State of the State address by Governor Andrew M. Cuomo delivered on January 11, 2017.		Governor .NY.gov