

**Dominion, PSEG, Orsted Proposed Revisions to PJM Interconnection Process Reform
Proposed Tariff Language
For Vote at May 17, 2022 MC Meeting**

**Tariff, Part VII, Subpart A.1
Definitions**

AND

**Tariff, Part VIII, Subpart A.1
Definitions**

Site:

“Site” shall mean all of the real property, including but not limited to, any [owned or leased real property](#), [bodies of water and/or submerged land](#), and easements, [or other forms of property rights acceptable to PJM](#), on which the Generating Facility [or Merchant Transmission Facility](#) is situated and/or on which the Project Developer Interconnection Facilities are to be located.

**Tariff, Part VII, Subpart A.3
Site Control**

Site Control Evidentiary Requirements

Site Control is evidence provided by the Project Developer to Transmission Provider in relation to Project Developer’s New Service Request demonstrating Project Developer’s interest in ~~and~~ control over [and right to utilize the Site](#) for the purpose of constructing a Generating Facility, Merchant Transmission Facilities, Interconnection Facilities, and, if applicable, the Transmission Owner’s Interconnection Facilities and/or Network Upgrades at the Point of Interconnection. Specific Site Control phase requirements are set forth in the following Tariff, Part VII, Application Phase, Decision Point I and Decision Point III sections.

- a. Site Control consistent with the requirements herein is required for a project to have a valid position within a Cycle.
- b. Proof of Site Control can be in the form of one of the following: (1) deed; (2) lease; (3) option to lease or purchase; or (4) as deemed acceptable by the Transmission Provider, any other contractual or legal right to possess, occupy and control ~~the Site one or more parcels of land~~.
 - i. Memorandums are not acceptable.
 - ii. Documentation solely evidencing an intent to purchase or control ~~land the Site~~ is not acceptable.
 - iii. Rights of Way are only acceptable for Project Developer Interconnection Facilities up to the Point of Interconnection.
 - iv. [Notwithstanding the foregoing, for a New Service Request, all or a portion of which requires the use of Sites owned or](#)

physically controlled by a state and/or federal governmental entity, and authorization for such use is subject to environmental and other state and/or federal governmental permitting requirements, including 42 U.S.C. § 4331 et seq. and any succeeding statutes, acceptable evidence of Site Control can be in any form the governmental entity issues. For Decision Point I and Decision Point III, Project Developers shall provide evidence that the Project Developer is taking identifiable steps acceptable to the Transmission Provider in furtherance of the issuance of such authorization by the state and/or federal governmental entity, including documentation sufficiently describing and explaining the source of and effects of such regulatory requirements, including a description of any conditions that must be met in order to satisfy the regulatory requirements and the anticipated time by which the Project Developer expects to satisfy the regulatory requirements. For Decision Point I and Decision Point III, Project Developers shall also identify any additional property rights for the portion of the Site that is not owned or physically controlled by a state and/or federal governmental entity but which cannot be secured until the regulatory requirements have been met and authorization has been provided by the requisite state and/or federal governmental entity.

- c. Demonstration of Site Control must include verification, to PJM's satisfaction, that the total feet or acreage ("acreage") of the Site~~land~~ is fully sufficient for the resource-specific technology and MWs requested for a proposed Generating Facility or Merchant Transmission Facility, as set forth in the PJM Manuals.
 - i. The Project Developer must submit a Geographic Information System (GIS) Site Plan map and data files acceptable to PJM demonstrating the arrangement of the resource-specific proposed facilities for the amount of MW requested.
 - ii. Any GIS Site Plan map and data files submitted in accordance with this section must be consistent with all other modeling data submitted in connection with Project Developer's New Service Request.
 - iii. In the event of a disagreement between the Transmission Provider and the Project Developer over whether the total acreage of the Site~~land~~ is fully sufficient for the resource-

specific technology and MWs requested for a proposed Generating Facility, Merchant Transmission Facility, Transmission Provider will accept a Professional Engineer (PE) stamped site plan drawing (licensed in the state of the facility location) that depicts the proposed generation arrangement and specifies the Maximum Facility Output for that arrangement.

- a. Failure to verify to Transmission Provider's satisfaction that the total acreage of the Site~~land~~ is fully sufficient for the resource-specific technology and MWs requested for a proposed Generating Facility or Merchant Transmission Facility shall result in the New Service Request being deemed terminated and withdrawn.
- d. Site Control must be in the name of the Project Developer identified on the corresponding New Service Request. Otherwise, the Project Developer must demonstrate to PJM's satisfaction the relationship between the entity owning or controlling the Site ("landowner" or "owner") with Site Control and the Project Developer identified on the New Service Request.
- e. Project Developers are prohibited from submitting evidence of Site Control that utilizes the same Site~~land~~ for multiple New Service Requests unless the total acreage amount of such Site ~~land~~ is adequate to support all such New Service Requests.
 - i. To the extent that multiple New Service Requests are submitted by a Project Developer using the same Site Control evidence and the total acreage amount of such Site ~~land~~ is not adequate to support all such New Service Requests, all such New Service Requests shall be deemed terminated and withdrawn.
 - ii. To the extent that a Project Developer submits a New Service Request with Site Control evidence utilizing the Site~~land~~ that is also the subject of Site Control in New Service Requests submitted by other Project Developer's, such Project Developer shall include with its New Service Request evidence, to Transmission Provider's satisfaction, demonstrating that the project referenced in the Project Developer's New Service Request is concurrently feasible with the development of any other projects that will share the Site ~~land~~ identified in the Site Control. Such proof of concurrent feasibility shall include:
 - 1. Identification of any other New Service Requests that will share all or a portion of the Site~~land~~ identified in the Site Control; and
 - 2. Identification of the proposed location and space utilization of all projects that will share the

[Siteland](#), including acreage and boundaries for all projects sharing the [Siteland](#) identified in the Site Control; and

3. Any related technical information required by the Transmission Provider to enable the Transmission Provider to determine that development of the project referenced in the submitted New Service Request is not inconsistent with development of any of the other New Service Requests that will share all or a portion of the same [Siteland](#).
- f. Multiple projects may share Project Developer Interconnection Facilities. A shared facilities agreement is required if jointly owned common Interconnection Facilities are proposed.
- g. Project Developers are prohibited from submitting evidence of Site Control for [the Siteland](#) which is also the subject of an interconnect request submitted in an adjacent Regional Transmission Organization, Independent System Operator, or other system. To the extent that Project Developers submit evidence of Site Control for [the Siteland](#) which is also the subject of an interconnection request submitted in an adjacent Regional Transmission Organization, Independent System Operator, or other system, the relevant New Service Request submitted to Transmission Provider shall be deemed terminated and withdrawn.
- h. Site Control must demonstrate three key elements: conveyance, term, and exclusivity:
 - i. Term

Term is the minimum duration required to evidence Site Control. The Term requirements vary, and are established in the following Tariff, Part VII rules, at various points within a Cycle. The Term cannot be satisfied by an agreement with an initial term shorter than the requisite required term that has extensions, including unilateral extensions, unless those extensions have been exercised and any requisite conditions fulfilled, including any payment obligations, by the Project Developer at the time evidence of Site Control is provided to the Transmission Provider.

- ii. Exclusivity

With the exception of Tariff, Part VII, subpart A.3, section C.A.(e) exclusivity is evidenced by written acknowledgement from the landowner, [provided to the Transmission Provider by the Project Developer](#) as part of the Site Control that, for the Term, [that the Project Developer has exclusive use of the Site for the purpose of constructing a Generating Facility, Merchant](#)

Transmission Facilities, Interconnection Facilities, and, if applicable, the Transmission Owner's Interconnection Facilities and/or Network Upgrades, and the landowner cannot make the Site Control identified for the Site~~land~~ available for purchase or lease, to any ~~other~~ person or entity other than the Project Developer for any purpose or use that will interfere with the rights granted to Project Developer.

iii. Conveyance

The Site Control evidence submitted by the Project Developer must demonstrate that the subject Site~~land~~ is or will be conveyed to the Project Developer, e.g., through a deed or an option to purchase or lease or other form of property rights acceptable to PJM, or that the Project Developer is guaranteed a right to future conveyance at Project Developer's sole discretion, e.g., through a deed or an option to purchase or lease or other forms of property rights acceptable to PJM, consistent with the Site Control Evidentiary Requirements provisions in subsection b above.

- i. At each point within a Cycle where a Project Developer is required to provide Site Control, the Project Developer shall also provide Site Control certification in a form set forth in PJM Manual____, executed by an officer or authorized representative of Project Developer, verifying that the Site Control requirements are met.
- i. At PJM's request, Project Developer shall provide copies of landowner attestations ~~or~~ county recordings, or other similar documentation acceptable to PJM to validate such Site Control certifications.

Tariff, Part VIII, Subpart A.3
Applications for Cycle Process
Site Control

Site -Control -Evidentiary Requirements

B. Site Control is evidence provided by the Project Developer to Transmission Provider in relation to Project Developer's New Service Request demonstrating Project Developer's interest in ~~and~~ control over, and right to utilize the Site for the purpose of constructing a Generating Facility, Merchant Transmission Facilities, Interconnection Facilities, and, if applicable, the Transmission Owner's Interconnection Facilities and/or Network Upgrades at the Point of Interconnection. Specific Site Control phase requirements are set forth in the following Tariff, Part VIII, Application Phase, Decision Point I and Decision Point III sections.

a. Site Control consistent with the requirements herein is required for a project to have a valid position within a Cycle.

b. Proof of Site Control can be in the form of one of the following: (1) deed; (2) lease; (3) option to lease or purchase; or (4) as deemed acceptable by the Transmission Provider, any other contractual or legal right to possess, occupy and control the Site~~one or more parcels of land~~.

ii. Memorandums are not acceptable.

iii. Documentation solely evidencing an intent to purchase or control ~~land~~the Site is not acceptable.

iv. Rights of Way are only acceptable for Project Developer Interconnection Facilities up to the Point of Interconnection.

iv. Notwithstanding the foregoing, for a New Service Request, all or a portion of which requires the use of Sites owned or physically controlled by a state and/or federal governmental entity, and authorization for such use is subject to environmental and other state and/or federal governmental permitting requirements, including 42 U.S.C. § 4331 et seq. and any succeeding statutes, acceptable evidence of Site Control can be in any form the governmental entity issues. For Decision Point I and Decision Point III, Project Developers shall provide evidence that the Project Developer is taking identifiable steps acceptable to the Transmission Provider in furtherance of the issuance of such authorization by the state and/or federal governmental entity, including documentation sufficiently describing and explaining the source of and effects of such regulatory requirements, including a description of any conditions that must be met in order to satisfy the regulatory

requirements and the anticipated time by which the Project Developer expects to satisfy the regulatory requirements. For Decision Point I and Decision Point III, Project Developers shall also identify any additional property rights for the portion of the Site that is not owned or physically controlled by a state and/or federal governmental entity but which cannot be secured until the regulatory requirements have been met and authorization has been provided by the requisite state and/or federal governmental entity.

- b. Demonstration of Site Control must include verification, to PJM's satisfaction, that the total feet or acreage (“acreage”) of the Site is fully sufficient for the resource-specific technology and MWs requested for a proposed Generating Facility or Merchant Transmission Facility, as set forth in the PJM Manuals.
 - i. The Project Developer must submit a Geographic Information System (GIS) Site Plan map and data files acceptable to PJM demonstrating the arrangement of the resource-specific proposed facilities for the amount of MW requested.
 - ii. Any GIS Site Plan map and data files submitted in accordance with this section must be consistent with all other modeling data submitted in connection with Project Developer's New Service Request.
 - iii. In the event of a disagreement between the Transmission Provider and the Project Developer over whether the total acreage of the Site~~land~~ is fully sufficient for the resource-specific technology and MWs requested for a proposed Generating Facility-, Merchant Transmission Facility, Transmission Provider will accept a Professional Engineer (PE) stamped site plan drawing (licensed in the state of the facility location) that depicts the proposed generation arrangement and specifies ~~ed~~ the Maximum Facility Output for that arrangement.
 - a. Failure to verify to Transmission Provider's satisfaction that the total acreage of the Site~~land~~ is fully sufficient for the resource-specific technology and MWs requested for a proposed Generating Facility or Merchant Transmission Facility shall result in the New Service Request being deemed terminated and withdrawn.
- c. Site Control must be in the name of the Project Developer identified on the corresponding New Service Request. Otherwise, the Project

Developer must demonstrate to PJM's satisfaction the relationship between the [entity owning or controlling the Siteland](#) (“landowner” or “owner”) with Site Control and the Project Developer identified on the New Service Request.

- d. Project Developers are prohibited from submitting evidence of Site Control that utilizes the same [Siteland](#) for multiple New Service Requests unless the total acreage amount of such [Siteland](#) is adequate to support all such New Service Requests.
 - i. To the extent that multiple New Service Requests are submitted by a Project Developer using the same Site Control evidence and the total acreage amount of such [Siteland](#) is not adequate to support all such New Service Requests, all such New Service Requests shall be deemed terminated and withdrawn.
 - ii. To the extent that a Project Developer submits a New Service Request with Site Control evidence utilizing [the Siteland](#) that is also the subject of Site Control in New Service Requests submitted by other Project Developer's, such Project Developer shall include with its New Service Request evidence, to Transmission Provider's satisfaction, demonstrating that the project referenced in the Project Developer's New Service Request is concurrently feasible with the development of any other projects that will share the [Siteland](#) identified in the Site Control. Such proof of concurrent feasibility shall include:
 - 1. Identification of any other New Service Requests that will share all or a portion of the [Siteland](#) identified in the Site Control; and
 - 2. Identification of the proposed location and space utilization of all projects that will share the [Siteland](#), including acreage and boundaries for all projects sharing the [Siteland](#) identified in the Site Control; and
 - 3. Any related technical information required by the Transmission Provider to enable the Transmission Provider to determine that development of the project referenced in the submitted New Service Request is not inconsistent with development of any of the other New Service Requests that will share all or a portion of the same [Siteland](#).
- e. Multiple projects may share Project Developer Interconnection Facilities. A shared facilities agreement is required if jointly owned common Interconnection Facilities are proposed.
- f. Project Developers are prohibited from submitting evidence of Site

Control for ~~the Site~~~~land~~ which is also the subject of an interconnect request submitted in an adjacent Regional Transmission Organization, Independent System Operator, or other system. To the extent that Project Developers submit evidence of Site Control for ~~land~~~~the Site~~ which is also the subject of an interconnection request submitted in an adjacent Regional Transmission Organization, Independent System Operator, or other system, the relevant New Service Request submitted to Transmission Provider shall be deemed terminated and withdrawn.

- g. Site Control must demonstrate three key elements: conveyance, term, and exclusivity:

i. Term

Term is the minimum duration required to evidence Site Control. The Term requirements vary, and are established in the following Tariff, Part VIII rules, at various points within a Cycle. The Term cannot be satisfied by an agreement with an initial term shorter than the requisite required term that has extensions, including unilateral extensions, unless those extensions have been exercised and any requisite conditions fulfilled, including any payment obligations, by the Project Developer at the time evidence of Site Control is provided to the Transmission Provider.

ii. Exclusivity

With the exception of Tariff, Part VII, subpart A.3, section C.A.(e) exclusivity is evidenced by written acknowledgement from the landowner, provided to the Transmission Provider by the Project Developer as part of the Site Control that, for the Term, that the Project Developer has exclusive use of the Site for the purpose of constructing a Generating Facility, Merchant Transmission Facilities, Interconnection Facilities, and, if applicable, the Transmission Owner's Interconnection Facilities and/or Network Upgrades, and the landowner cannot make the Site Control identified for the Site~~land~~ available for purchase or lease, to any ~~other~~ person or entity other than the Project Developer for any purpose or use that will interfere with the rights granted to Project Developer.

iii. Conveyance

The Site Control evidence submitted by the Project Developer must demonstrate that the subject ~~Site~~~~land~~ is or will be conveyed to the Project Developer, e.g., through a deed or an option to purchase or lease or other form of property rights acceptable to PJM, or that the Project Developer is guaranteed a right to future conveyance at Project Developer's sole discretion, e.g., through a deed or an option to purchase or lease or other forms of property

rights acceptable to PJM, consistent with the Site Control Evidentiary Requirements provisions in subsection b above.

- i. At each point within a Cycle where a Project Developer is required to provide Site Control, the Project Developer shall also provide Site Control certification in a form set forth in PJM Manual____, executed by an officer or authorized representative of Project Developer, verifying that the Ssite Ceontrol requirements are met.
 1. At PJM's request, Project Developer shall provide copies of landowner attestations ~~or~~ county recordings, or other similar documentation acceptable to PJM to validate such Site Control certifications.