

Tariff, Part VIII

NEW RULES

GENERATION AND LARGE LOAD INTERCONNECTION PROCEDURES

Tariff, Part VIII, Subpart A
INTRODUCTION

Tariff, Part VIII, Subpart A, section 400
Definitions

For purposes of these Generation [and Large Load](#) Interconnection Procedures and any agreement set forth in Tariff, Part IX, in the event of a conflict between the definitions set forth herein and the definitions set forth in Tariff, Part I, the definitions set forth in these Generation [and Large Load](#) Interconnection Procedures shall control.

Tariff, Part VIII, Subpart A, section 400
Definitions E

Eligible Customer:

“Eligible Customer” shall mean:

(i) Any electric utility (including any Transmission Owner and any power marketer), Federal power marketing agency, or any person generating electric energy for sale for resale is an Eligible Customer under the Tariff. Electric energy sold or produced by such entity may be electric energy produced in the United States, Canada or Mexico. However, with respect to transmission service that the Commission is prohibited from ordering by the Federal Power Act, section 212(h), such entity is eligible only if the service is provided pursuant to a state requirement that the Transmission Provider or Transmission Owner offer the unbundled transmission service, or pursuant to a voluntary offer of such service by a Transmission Owner.

(ii) Any retail customer taking unbundled transmission service pursuant to a state requirement that the Transmission Provider or a Transmission Owner offer the transmission service, or pursuant to a voluntary offer of such service by a Transmission Owner, is an Eligible Customer under the Tariff. As used in Tariff, Part VIII, Eligible Customer shall mean ~~only~~ those Eligible Customers that have submitted an Application and Study Agreement or Eligible Customers submitting an Eligible Customer Load Interconnection Request.

Eligible Customer Load Interconnection Request

“Eligible Customer Load Interconnection Request” shall mean a request for interconnection by an Eligible Customer seeking transmission service on behalf of an Eligible Load, Large Load, or Large Computational Load.

Eligible Load:

“Eligible Load” shall mean Co-Located Load or load with Behind the Meter Generation.

Eligible Generating Facility:

“Eligible Generating Facility” shall mean a Co-Located Generating Facility or Retail Behind the Meter Generation.

Emergency Condition:

“Emergency Condition” shall mean a condition or situation (i) that in the judgment of any Interconnection Party is imminently likely to endanger life or property; or (ii) that in the judgment of the Transmission Owner or Transmission Provider is imminently likely (as determined in a non-discriminatory manner) to cause a material adverse effect on the security of, or damage to, the Transmission System, the Interconnection Facilities, or the transmission systems or distribution systems to which the Transmission System is directly or indirectly connected; or (iii) that in the

judgment of Project Developer is imminently likely (as determined in a non-discriminatory manner) to cause damage to the Generating Facility or to the Project Developer Interconnection Facilities. System restoration and black start shall be considered Emergency Conditions, provided that a Generation Project Developer is not obligated by a Generation Interconnection Agreement to possess black start capability. Any condition or situation that results from lack of sufficient generating capacity to meet load requirements or that results solely from economic conditions shall not constitute an Emergency Condition, unless one or more of the enumerated conditions or situations identified in this definition also exists.

Energy Resource:

“Energy Resource” shall mean a Generating Facility that is not a Capacity Resource.

Energy Storage Resource:

“Energy Storage Resource” shall mean a resource capable of receiving electric energy from the grid and storing it for later injection to the grid that participates in the PJM Energy, Capacity and/or Ancillary Services markets as a Market Participant. Open-Loop Hybrid Resources are not Energy Storage Resources.

Engineering and Procurement Agreement:

“Engineering and Procurement Agreement” shall mean an agreement that authorizes Transmission Owner to begin engineering and procurement of long lead-time items necessary for the establishment of the interconnection in order to advance the implementation of the Interconnection Request. An Engineering and Procurement Agreement is not intended to be used for the actual construction of any Interconnection Facilities or Transmission Upgrades. A form of the Engineering and Procurement Agreement is set forth in Tariff, Part IX, Subpart D. An Engineering and Procurement Agreement can only be requested by a Project Developer, and can only be requested in Phase III.

Tariff, Part VIII, Subpart A, section 400
Definitions L

List of Approved Contractors:

“List of Approved Contractors” shall mean a list developed by each Transmission Owner and published in a PJM Manual of (a) contractors that the Transmission Owner considers to be qualified to install or construct new facilities and/or upgrades or modifications to existing facilities on the Transmission Owner’s system, provided that such contractors may include, but need not be limited to, contractors that, in addition to providing construction services, also provide design and/or other construction-related services, and (b) manufacturers or vendors of major transmission-related equipment (e.g., high-voltage transformers, transmission line, circuit breakers) whose products the Transmission Owner considers acceptable for installation and use on its system.

Large Load

“Large Load” shall have the meaning given to the term in Tariff, Part I, section 1, Definitions L – M – N.

Large Computational Load

“Large Computational Load” shall have the meaning given the term in Tariff, Part I, section 1, Definitions L – M – N.¹

Load Serving Entity (LSE):

“Load Serving Entity” or “LSE” shall have the meaning specified in the Reliability Assurance Agreement.

¹ NTD: Need to add the definition of Large Computational Load to Part I Definitions.

Tariff, Part VIII, Subpart A, section 401
Applications for Cycle Process
Introduction

A. New Cycle Process

Part VIII of the Tariff applies to valid New Service Requests submitted on or after October 1, 2021, and to valid Eligible Customer Load Interconnection Requests, submitted on or after [INSERT DATE]. Part VIII sets forth the procedures and other terms governing the Transmission Provider's administration of the Cycle process; procedures and other terms regarding studies and other processing of New Service Requests and Eligible Customer Load Interconnection Requests; the nature and timing of the agreements required in connection with the studies and construction of required facilities; and terms and conditions relating to the rights available to Project Developers and Eligible Customers. To initiate a New Services Request, Eligible Customers must first submit a Completed Application following the procedures outlined in Tariff, Parts II and III as applicable. To initiate an Eligible Customer Load Interconnection Request, an Eligible Customer must first submit a load interconnection request to the relevant Transmission Owner or electric distribution company [and a Completed Application for transmission service following the procedures outlined in Tariff, Parts III and XI as applicable]. For projects submitted by Eligible Customers, the project's priority is defined by the Cycle in which an Eligible Customer submits a Completed Application or an Eligible Customer Load Interconnection Request. For projects submitted by Project Developers, the project's priority is defined by the Cycle in which a Project Developer submits a completed New Service Request. A Cycle's priority is established by the Application deadline. A given Cycle has priority over Cycles that commence at a later date.

B. Part VIII of the Tariff applies to (a) Generation Interconnection Requests; (b) Transmission Interconnection Requests; ~~and~~ (c) Completed Applications; and (d) effective as of [INSERT DATE], Eligible Customer Load Interconnection Requests.

C. A Project Developer that proposes to (i) interconnect a Generating Facility to the Transmission System in the PJM Region, including an Eligible Generating Facility to serve an Eligible Load or a Generating Facility to serve a Large Load or Large Computational Load; (ii) increase the capability of a Generating Facility in the PJM Region, including to serve an Eligible Load, Large Load, or Large Computational Load; (iii) interconnect Merchant Transmission Facilities with the Transmission System; (iv) increase the capability of existing Merchant Transmission Facilities interconnected to the Transmission System, or (v) interconnect a Generating Facility to distribution facilities located in the PJM Region that are used for transmission of power in interstate commerce, and to make wholesale sales using the output of the Generating Facility, or an Eligible Customer seeking to interconnect an Eligible Load, Large Load, or Large Computational Load to the Transmission System in the PJM Region, shall request interconnection with the Transmission System pursuant to, and shall comply with, the terms, conditions, and procedures set forth in Tariff, Part VIII and related portions of the

PJM Manuals. Notwithstanding the above, the process under Tariff, Part VIII, Subpart E, section 414 is available for Surplus Interconnection Requests from resources seeking to receive electric energy from the grid and store it for later injection to the grid and for Surplus Interconnection Requests from Surplus Project Developers seeking to use their Generating Facilities to serve an Eligible Load effective as of October 17, 2026, or a Large Load or Large Computational Load effective as of [INSERT DATE].

D. Required Study Deposits and Readiness Deposits.

1. Study Deposits. Pursuant to Tariff, Part VIII, Subpart B, section 403, each New Service Request or Eligible Customer Load Interconnection Request must submit with its Application a Study Deposit, the amount of which will be determined based upon the MWs requested in such Application. For New Service Requests submitted prior to [INSERT DATE], ten percent of the Study Deposit is non-refundable. Effective as of [INSERT DATE], the Study Deposit is non-refundable. The costs of any interconnection study conducted on a clustered basis shall be allocated among the Project Developers and Eligible Customers within the cluster as follows: 50% of the study costs will be allocated on a per capita basis and 50% of the study costs will be allocated pro rata by MW of energy or capacity of each Project Developer's Generating Facility or of the Eligible Load, Large Load, or Large Computational Load associated with each Eligible Customer Load Interconnection Request, whichever is greater. Project Developer and Eligible Customers are responsible for actual study costs, which may exceed the Study Deposit amount.
 - a. For New Service Requests submitted prior to [INSERT DATE], if any Study Deposit monies remain after all System Impact Studies are completed and any outstanding monies owed by Project Developer or Eligible Customer in connection with outstanding invoices related to the present or prior New Service Requests have been paid, such remaining deposit monies shall be returned to the Project Developer or Eligible Customer at the conclusion of the required studies for the New Service Request.
 - b. For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], the Study Deposit shall consist of:
 - i. a non-refundable initial deposit amount of \$20,000 for pre-Application activities, due by [INSERT DATE] of the applicable year; and
 - ii. a second non-refundable deposit amount due by [INSERT DATE] of the applicable year that shall be determined by the requested energy or capacity MW, whichever is greater, of the Generating Facility, Merchant Transmission Facility, Eligible Load, Large Load, or Large Computational Load, as applicable, as follows:
 - (a) up to and including 20 MW, \$75,000;

- (b) greater than 20 MW but less than or equal to 50 MW, \$200,000;
- (c) greater than 50 MW but less than or equal to 100 MW, \$250,000;
- (d) greater than 100 MW but less than or equal 250 MW, \$300,000;
- (e) greater than 250 MW but less than or equal to 750 MW, \$350,000; and
- (f) greater than 750 MW, \$400,000.

2. Readiness Deposits for New Service Requests submitted prior to [INSERT DATE]. Readiness Deposits are funds committed by the Project Developer or Eligible Customer based upon the MW size of the project and, where applicable, the study results.

- a. Readiness Deposits are due at the following Phases of a Cycle:
 - i. Readiness Deposit No. 1: Application Submission
 - ii. Readiness Deposit No. 2: Decision Point I; and
 - iii. Readiness Deposit No. 3: Decision Point II
- b. Readiness Deposits No. 2 and/or No. 3 may equal an amount equal to or greater than zero, but may never be a negative dollar amount.
- c. Readiness Deposit refunds will be handled as follows:
 - i. If the project is withdrawn or terminated, the Readiness Deposit refunds for the project will be determined by the study phase at which the project was withdrawn or terminated, and adverse study results tests, as set forth below in Tariff, Part VIII, Subpart C, section 408(B)(3)(c).
 - ii. When all Cycle New Service Requests have either entered into final agreements and met the Decision Point III Site Control requirements, or have withdrawn, remaining Readiness Deposit funds will be dispositioned as follows:
 - (a) Transmission Provider will incorporate all project withdraws and retool analysis results to provide a final determination on the Network Upgrades that are required for the Cycle.
 - (b) Underfunded Network Upgrades will be identified as those where one or more withdrawn New Service Requests that were identified as having a cost allocation in the Phase III analysis results. In the event that there are no underfunded Network Upgrades, all Readiness Deposits will be refunded.

- (c) Readiness Deposits will be applied to underfunded Network Upgrades on a pro-rata share of funds missing from the Phase III cost allocation. In the event that all underfunded Network Upgrades are made whole relative to the withdrawn New Service Requests, remaining Readiness Deposits will be refunded on a pro-rata share.

2A. Readiness Deposits for New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE]. Readiness Deposits are funds committed by the Project Developer or Eligible Customer based upon the MW size of the project.

- a. The Initial Readiness Deposit, which is due [INSERT DATE] of the applicable year and shall be based on the requested injection or withdrawal MW, shall equal [INSERT DOLLAR AMOUNT] per MW for Eligible Customer Load Interconnection Requests and [INSERT DOLLAR AMOUNT] per MW for New Service Requests.
 - b. At Decision Point I, the minimum additional commitment of Readiness Deposit funds shall equal [INSERT DOLLAR AMOUNT] per MW for Eligible Customer Load Interconnection Requests and [INSERT DOLLAR AMOUNT] per MW for New Service Requests.
 - c. At Decision Point II, the minimum additional commitment of Readiness Deposit funds shall equal [INSERT DOLLAR AMOUNT] per MW for Eligible Customer Load Interconnection Requests and [INSERT DOLLAR AMOUNT] per MW for New Service Requests.
3. Study Deposits and Readiness Deposits are separate financial obligations, ~~and are~~ non-transferrable, and cannot be commingled. Under no circumstances may ~~refundable or non-refundable~~ Study Deposit or Readiness Deposit monies for a specific New Service Request or Eligible Customer Load Interconnection Request be applied in whole or in part to a different New Service Request or Eligible Customer Load Interconnection Request. PJM shall provide Project Developers and Eligible Customers with written notice of any additional amounts due at the appropriate times, and shall include in such written notice the Tariff provision(s) governing the additional amounts, the calculation of the additional amounts, the method(s) by which Project Developer or Eligible Customer may remit the additional amounts, the deadline for such remittance, and the consequences of failure to remit the additional amounts by the stated deadline.

- E. If Project Developer is proposing a Generating Facility that will physically connect to non-jurisdictional distribution or sub-transmission facilities for the purpose of engaging in wholesale sales in the PJM markets, such Project Developer must provide additional required information and documentation associated with the non-jurisdictional arrangements, as set forth in Tariff, Part VIII, Subpart C, sections 406 and 410 and Tariff, Part IX, Subpart F.

- F. A Project Developer or Eligible Customer cannot combine, swap or exchange all or part of a New Service Request with any other New Service Request within the same or a different Cycle.
- G. ~~Prior to entering into~~ Before execution of a final agreement from Tariff, Part IX, Tariff, Part III, or Tariff, Part XI, a Project Developer or Eligible Customer may assign its New Service Request or Eligible Customer Load Interconnection Request to another entity only if the ~~acquiring entity~~ assignee:
1. as applicable, accepts and acquires the rights to the same Point of Interconnection and Point of Change ~~of in~~ Ownership as identified in the New Service Request or Eligible Customer Load Interconnection Request ~~for such project~~; ~~and~~/or
 2. as applicable, accepts; the same receipt and delivery points or the same source and sink points as stated in the New Service Request or Eligible Customer Load Interconnection Request ~~for such project~~ and assumes all Project Developer's or Eligible Customer's obligations with respect to the New Service Request or Eligible Customer Load Interconnection Request.

H3. Additional Interconnection-Related Agreements. In connection with interconnection with the Transmission System pursuant to Tariff, Part VIII, Project Developer may be required, or may elect, to enter into one or more of the following interconnection-related agreements:

A1. Cost Responsibility Agreement. A Project Developer with an existing generating facility that is not a party to an interconnection agreement with Transmission Provider and the relevant Transmission Owner, that desires to enter into a GIA with Transmission Provider and Transmission Owner, shall be required to enter into a Cost Responsibility Agreement in the form set forth in Tariff, Part IX, Subpart F. The Cost Responsibility Agreement provides the terms, conditions, Study Deposit, and cost responsibility for Project Developer to pay Transmission Provider's actual costs to perform certain modeling, studies or analysis to determine whether the Project Developer may enter into a GIA with Transmission Provider and Transmission Owner.

B2. Engineering and Procurement Agreement.

- a. For New Service Requests submitted prior to [INSERT DATE], ~~a~~ A Project Developer that wishes to advance the implementation of its Interconnection Request during Phase III of a Cycle may enter into an Engineering and Procurement Agreement with Transmission Provider and Transmission Owner, in the form set forth in Tariff, Part IX, Subpart D, to begin engineering and procurement of long lead-time items necessary for the establishment of the interconnection. An Engineering and Procurement Agreement is not intended to be used for the actual construction of any Interconnection Facilities or Transmission Upgrades. An Engineering and Procurement Agreement can only be requested by a Project Developer, and can only be requested in Phase III.

- b. For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], Transmission Provider shall issue an Engineering and Procurement Agreement in the form set forth in Tariff, Part IX, Subpart D.1, to govern the engineering and design work necessary for the establishment of the interconnection in order to advance the implementation of the New Service Request or Eligible Customer Load Interconnection Request. The Project Developer or Eligible Customer also may contract for the procurement of certain long-lead items, at its option, under the Engineering and Procurement Agreement in the form set forth in Tariff, Part IX, Subpart D.1.

€3. Necessary Study Agreement.

- a. A Project Developer that has entered into a GIA that plans to undertake modifications pursuant to that GIA to its Generating Facility or Merchant Transmission Facility *or Project Developer Interconnection Facilities, including but not limited to a Project Developer whose planned modifications include an Eligible Load configuration,* shall be required to enter into a Necessary Study Agreement with Transmission Provider in the form set forth in Tariff, Part IX, Subpart G. The Necessary Study Agreement provides the terms, conditions, Study Deposit, and cost responsibility for Project Developer to pay Transmission Provider’s actual costs to perform the Necessary Study(ies) to determine: (a) the type and scope of the permanent material impact, if any, the change will have on the Transmission System; (b) the additions, modifications, or replacements to the Transmission System required to accommodate the change; and (c) a good faith estimate of the cost of the additions, modifications, or replacements to the Transmission System required to accommodate the change. *Project Developer shall not implement any planned modifications to its facilities until the Necessary Studies have been completed and the amended Generation Interconnection Agreement reflecting the results of such studies is fully executed and effective.*
- b. Project Developer shall provide Transmission Provider with all information needed to perform the Necessary Studies, as further detailed in the PJM Manuals, including but not limited to:
- i. *the proposed configuration for the Eligible Load and Eligible Generating Facility, including a single-line diagram, and an identification of the Interconnection Customer Interconnection Facilities or Project Developer Interconnection Facilities, as applicable, to which the Eligible Load will interconnect.*
- ii *all Eligible Customer information required in the application, including the type of Transmission Service the Eligible Customer will take on behalf of the Eligible Load.*

- iii. the amount of reduction to Capacity Interconnection Rights to facilitate the Eligible Load configuration.
 - iv. To the extent available, details of any necessary control technologies and protection systems needed to prevent such Load from withdrawing energy from the Transmission System in excess of energy withdrawals permitted under the Eligible Customer's Service Agreement.
 - c. Necessary Studies to be performed by Transmission Provider include but are not limited to thermal, short circuit, and stability studies under various seasonal and load conditions, as specified in more detail in PJM Manual 14B and its attachments. Transmission Provider shall assess the impact of the reduction in Capacity Interconnection Rights associated with the planned Eligible Load and Eligible Generating Facility, any necessary control technologies and protection systems required as part of the Eligible Load configuration, any other changed conditions identified by Project Developer or Transmission Owner associated with the Eligible Load configuration, and any other factor, element, or condition, or item it determines, consistent with Good Utility Practice and engineering judgment, is necessary to ensure the safety and reliability of the system.
 - d. Project Developer shall be responsible for the costs of any modifications or Network Upgrades identified by Transmission Provider, as applicable, as a result of the change to the Interconnection Service Agreement or Generation Interconnection Agreement to serve Eligible Load, including to reflect any reduction in Capacity Interconnection Rights. A Project Developer must have a fully executed and effective original or amended, as applicable, Generation Interconnection Agreement governing the proposed Eligible Load configuration and the entire scope of work required under that amended Generation Interconnection Agreement must be complete before Project Developer may begin serving Eligible Load from its Generating Facility.
- I. Application of Part VIII Terms. Interconnection Customers with Interconnection Service Agreements under Tariff, Part VI may utilize relevant provisions of this Tariff, Part VIII and shall be referenced as Project Developers (or Generation Project Developers, specifically) and their agreements as Generation Interconnection Agreements when doing so.

Tariff, Part VIII, Subpart A, section 402
Applications for Cycle Process
Site Control

A. 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, 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 [Substation Network Upgrades at the Point of Interconnection](#). [On and after \[INSERT DATE\], Site Control shall include evidence provided by the Eligible Customer to Transmission Provider in relation to Eligible Customer's Eligible Customer Load Interconnection Requests demonstrating Eligible Customer's or its Eligible Load, Large Load, or Large Computational Load customer's interest in, control over, and right to utilize the Site for the purpose of constructing a Load Facility, Interconnection Facilities, and, if applicable, the Transmission Owner's Interconnection Facilities and/or Substation Network Upgrades at the Delivery Point.](#) Specific Site Control phase requirements [for New Service Requests submitted prior to \[INSERT DATE\]](#) are set forth in the following Tariff, Part VIII, Subpart B, section 403, and Subpart C, sections 406 and 410

1. Site Control consistent with the requirements herein is required for a project to have a valid position within a Cycle.
2. 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.
 - a. Memorandums are not acceptable.
 - b. Documentation solely evidencing an intent to purchase or control the Site is not acceptable.
 - c. [For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after \[INSERT DATE\], each Site Control document that is not a deed in the name of the Project Developer or Eligible Customer \(or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer\) must include a rider in the form posted on Transmission Provider's website that is executed by both the Project Developer or Eligible Customer \(or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer\) and the landowner certifying that the Site Control document meets the requirements for term,](#)

conveyance, and exclusivity specified in Tariff, Part VIII, Subpart A, section 402(A)(8).

- d. For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], Site Control for the Transmission Owner's Interconnection Facilities and/or Substation Network Upgrades must be in the form of a deed or an option to purchase.
- e. For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], projects with a Point of Interconnection at an existing Transmission Owner owned substation are required only to provide Site Control for Interconnection Facilities from the project Site to the Transmission Owner controlled land for the existing substation at which the Point of Interconnection is located.
- fe. Rights of Way are only acceptable for Project Developer Interconnection Facilities or Eligible Customer Interconnection Facilities up to the Point of Interconnection.
- gd. 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.A. § 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.
- h. Notwithstanding the foregoing, for a New Service Request or an Eligible Customer Load Interconnection Request submitted on or after [INSERT DATE], all or a portion of which requires the use of a Site or Sites owned or physically controlled by a state, local, and/or federal governmental entity,

and authorization for such use is subject to environmental and other state, local, and/or federal governmental permitting requirements, including 42 U.S.C.A. § 4331 et seq. and any succeeding statutes, acceptable evidence of Site Control can be in any form the governmental entity issues. Project Developers and Eligible Customers (or the Eligible Customers' Eligible Load, Large Load, or Large Computational Load customers) shall demonstrate Site Control for each portion of the Site owned or physically controlled by a state, local, federal, or tribal governmental entity by satisfying the following requirements:

- i. Identification of Required Land Authorization. The Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) shall identify each governmental authorization required to construct, operate, maintain, access, or physically interconnect its project on the governmental property, including: (1) the name of the authorization; (2) the governmental entity responsible for issuing the authorization; (3) the statutory, regulatory, or other legal authority under which the authorization is required; and (4) the property rights that would be granted by the authorization, including the authorized use, geographic area, duration, exclusivity, assignability, renewal rights, and rights of access, construction, operation, and maintenance, as applicable.
- ii. Evidence of Application or Initiation. For each required governmental land authorization, the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) shall submit one or more of the following documents issued, received, or acknowledged by the governmental entity:
 - (a) an executed authorization, lease, easement, right-of-way, special-use permit, license, concession, land-use agreement, or other instrument granting the required property rights;
 - (b) written confirmation that an application for the required authorization has been received by the governmental entity;
 - (c) written confirmation that an application for the required authorization has been deemed complete or accepted for processing by the governmental entity;
 - (d) a notice, letter, docket entry, application number, case number, project number, or other governmental entity record establishing that the governmental authorization process has formally commenced;

- (e) an executed cost-reimbursement agreement, processing agreement, study agreement, or other agreement under which the governmental entity has agreed to process the requested land authorization;
 - (f) a written determination by the relevant governmental entity identifying the governmental review or approval process applicable to the requested use; or
 - (g) another governmental entity record that identifies the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer), the governmental property, the proposed use, and the requested property rights.
 - iii. Minimum Property Rights Showing. Documentation submitted under this Tariff, Part VIII, Subpart A, section 402(A)(2)(h) shall demonstrate that:
 - (a) the requested authorization applies to the specific governmental property included within the Site;
 - (b) the requested authorization would permit the proposed project facilities and uses identified in the New Service Request or Eligible Customer Load Interconnection Request;
 - (c) the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) is the applicant for, or is expressly entitled to obtain or use, the requested authorization;
 - (d) the authorization, if issued as requested, would provide property rights for the term required under this Tariff, Part VIII, Subpart A, section 402;
 - (e) the requested authorization includes, or will include, the access, construction, operation, maintenance, replacement, and removal rights necessary for the proposed project facilities, as applicable; and
 - (f) issuance of the authorization does not require further agreement, negotiation, or discretionary consent from a non-governmental landowner.
 - iv. Authorization Status Schedule. The Project Developer or Eligible Customer shall submit to Transmission Provider with its

Application a schedule that identifies, for each required governmental land authorization:

- (a) the date the application or request was submitted;
- (b) the date the governmental entity acknowledged receipt or accepted the application for processing;
- (c) each remaining action required of the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer);
- (d) each remaining action identified by the governmental entity;
- (e) the anticipated date of issuance; and
- (f) the date by which the authorization must be obtained to support the proposed Commercial Operation Date.

v. Deemed Sufficient Evidence. A Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) shall be deemed to have satisfied the requirements of this Tariff, Part VIII, Subpart A, section 402(A)(2)(h) if it submits all information required by Tariff, Part VIII, Subpart A, section 402(A)(2)(h), subsections (i), (iii), and (iv), and submits at least one document identified in subsection (ii) for each required governmental land authorization. The Transmission Provider shall not require evidence beyond the documents and information specified in this subsection to determine whether the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) has demonstrated Site Control for governmental property.

vi. Consistency Requirement. The governmental property, proposed use, project facilities, and requested property rights identified in the submitted documentation shall be consistent with the GIS Site Plan, Site description, Point of Interconnection, and other information submitted with the New Service Request or Eligible Customer Load Interconnection Request. An application or governmental record concerning property outside the Site, a materially different facility, or a different applicant shall not satisfy this subsection.

vii. Final Authorization. The Project Developer or Eligible Customer shall provide the final governmental authorization to the Transmission Provider within ten Business Days after it is issued and no later than the applicable Site Control milestone established

in the Project Developer's or Eligible Customer's final agreement. The final authorization shall apply to the property and proposed use identified under this Tariff, Part VIII, Subpart A, section 402(A)(2)(h) and shall provide the property rights and term required under this Tariff.

viii. Changes and Deficiencies. If the governmental entity denies, dismisses, closes, materially limits, or returns as incomplete the Project Developer's or Eligible Customer's (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer's) request for authorization, the Project Developer or Eligible Customer shall notify the Transmission Provider within ten Business Days. A denial, withdrawal, expiration, or material reduction in the geographic area, permitted use, duration, or property rights necessary for the project shall constitute a failure to maintain Site Control unless the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) possesses another form of Site Control satisfying this Tariff, Part VIII, Subpart A, section 402(A)(2)(h) for the same property. Project Developers or Eligible Customers (or the Eligible Customers' Eligible Load, Large Load, or Large Computational Load customers) 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, local and/or federal governmental entity.

3. Demonstration of Site Control must include verification, to PJM's satisfaction, that the total feet or acreage ("acreage") of the Site is adequate for the resource-specific technology and MWs requested for a proposed Generating Facility, ~~or~~ Merchant Transmission Facility, or, on and after [INSERT DATE], Load Facility, as set forth in the PJM Manuals.
 - a. 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.
 - b. For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], the Site Plan must identify the Point of Interconnection; each parcel of land included within the Site (identified by tax parcel number or other applicable parcel identifier), and, for each such parcel, a reference to the specific Site Control document submitted by the Project Developer that establishes Site Control for that

parcel; the location of the Generating Facility, Load Facility or Merchant Transmission Facilities, including any other projects sharing the land; the location of the Main Power Transformer, Interconnection Facilities, and if applicable, the land that will be utilized for Transmission Owner's Interconnection Facilities and/or Substation Network Upgrades at the Point of Interconnection.

c. 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.

de. In the event of a disagreement between the Transmission Provider and the Project Developer over whether the total acreage of the Site is fully sufficient for the resource-specific technology and MWs requested for a proposed Generating Facility or 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.

i. Failure to verify to Transmission Provider's satisfaction that the total acreage of the Site is adequate 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.

4. (a) For New Service Requests submitted prior to [INSERT DATE], 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.

(b) For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], Site Control must be either (i) in the name of the Project Developer identified in the corresponding New Service Request or in the name of an entity having a documented legal or organizational relationship with the Project Developer; or (ii) in the name of the Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) identified in the corresponding Eligible Customer Load Interconnection Request or in the name of an entity having a documented legal or organizational relationship with the Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer). If Site Control is held by another entity, the Project Developer or Eligible Customer shall provide organizational documents, public filings, corporate records, or an executed

agreement demonstrating common ownership, common control, an affiliate relationship, a parent-subsidary relationship, or a contractual relationship authorizing the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) to rely upon the Site Control for the proposed project. An unsupported organizational chart, affidavit, letter of intent, memorandum of understanding, unsigned agreement, or representation of common ownership or affiliation shall not satisfy this requirement.

5. Project Developers are prohibited from submitting evidence of Site Control that utilizes the same Site for multiple New Service Requests unless the total acreage amount of such Site is adequate to support all such New Service Requests.
 - a. 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 is not adequate to support all such New Service Requests, all such New Service Requests shall be deemed terminated and withdrawn.
 - b. To the extent that a Project Developer submits a New Service Request with Site Control evidence utilizing the Site 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 identified in the Site Control. Such proof of concurrent feasibility shall include:
 - i. Identification of any other New Service Requests that will share all or a portion of the Site identified in the Site Control; and
 - ii. Identification of the proposed location and space utilization of all projects that will share the Site, including acreage and boundaries for all projects sharing the Site identified in the Site Control; and
 - iii. 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 Site.
6. Multiple projects may share Project Developer Interconnection Facilities. A shared facilities agreement is required if jointly owned common Interconnection Facilities are proposed.

7. Project Developers are prohibited from submitting evidence of Site Control for the Site 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 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.
8. Site Control must demonstrate three key elements: conveyance, term, and exclusivity:
 - a. Term. Term is the minimum duration required to evidence Site Control.
 - i. The Term requirements for New Service Requests submitted prior to [INSERT DATE] 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. For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], Project Developer or Eligible Customer shall demonstrate continuous Site Control from submission of the New Service Request or Eligible Customer Load Interconnection Request through the proposed Commercial Operation Date²². All extensions, renewals, and options necessary to maintain Site Control through that date must be irrevocably exercised, and all related payments, notices, conditions precedent, and other obligations must be satisfied when Site Control evidence is submitted. Site Control shall not depend upon future negotiation, consent, approval, or discretionary action by the landowner or any third party and shall not be subject to expiration, revocation, or termination before the proposed Commercial Operation Date, except at the Project Developer's or Eligible Customer's (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer's) sole election. Site Control must provide the Project Developer or the Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) with the unilateral right to extend the term for fifteen (15) years beyond the proposed Commercial

²² NTD: Is "Commercial Operation Date" the right milestone reference for load interconnection?

Operation Date. Exercise of such right shall be a milestone in the project's Final Agreement.

b. Exclusivity

With the exception of Tariff, Part VIII, Subpart A, section 402(A)(5)(b), exclusivity is evidenced by written acknowledgement from the landowner provided to the Transmission Provider by the Project Developer or Eligible Customer as part of the Site Control that, for the Term, ~~that~~ the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) has exclusive use of the Site for the purpose of constructing a Generating Facility, Merchant Transmission Facilities, a Load Facility, 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 available for purchase or lease, to any person or entity other than the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) for any purpose or use that will interfere with the rights granted to Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer).

c. Conveyance

(i) The Site Control evidence submitted by the Project Developer or Eligible Customer must demonstrate that the subject Site 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 or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) is guaranteed a right to future conveyance at Project Developer's or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large Computational Load customer) sole discretion, e.g., through a deed or an option to purchase or lease or other forms of property rights acceptable to ~~PJM~~ Transmission Provider, consistent with the Site Control Evidentiary Requirements provisions in Tariff, Part VIII, Subpart A, section 402(A)(2), above.

(ii) For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], the Site Control evidence must expressly authorize the Project Developer or Eligible Customer (or the Eligible Customer's Eligible Load, Large Load, or Large

Computational Load customer) to construct, operate, maintain, and physically interconnect the specific facility identified in the New Service Request or Eligible Customer Load Interconnection Request on the Site and must be consistent with the facility type, property boundaries, and uses depicted in the GIS Site Plan.

9. For New Service Requests submitted prior to [INSERT DATE], ~~a~~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 14H, executed by an officer or authorized representative of Project Developer, verifying that the Site Control requirements are met.

- a. At PJM's request, Project Developer shall provide copies of landowner attestations, county recordings, or other similar documentation acceptable to PJM to validate such Site Control certifications.

10. For New Service Requests and Eligible Customer Load Interconnection Requests submitted on or after [INSERT DATE], no modifications to Site Control are permitted at any point during the Part VIII interconnection study process.