

Interconnection Order No. 2023 Site Control Technical Bulletin

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Agenda

- **Purpose of the Site Control Technical Bulletin**
- **Site Control definition**
- **Timing to Demonstration Site Control**
- **Site Control Submission Requirements**
- **Technology-Specific Acreage Requirements**
- **Regulatory Limitations**
- **Next Steps**

Purpose of Technical Bulletin

- **The purpose of this Technical Bulletin is to address the requirements related to Site Control for the interconnection of Facilities seeking to participate in a Cluster Study (including the Transition Cluster Study).**
- **Site Control requirements in the Technical Bulletin have previously been shared with stakeholders at numerous IITF/TPAS meetings and incorporates stakeholder feedback.**

Site Control Definition

- NYISO's Site Control definition (consistent with *pro forma* definition in Order No. 2023 with certain NYISO edits):

Site Control shall mean the necessary land right sufficient to develop, construct, operate, and maintain the Facility over a term of at least 10 years from the date of the submission of the interconnection request. Site Control may be demonstrated by documentation establishing: (1) ownership of, a leasehold interest in, or a right to develop a site of sufficient size to construct and operate the Facility; (2) an option to purchase or acquire a leasehold site of sufficient size to construct and operate the Facility; or (3) any other documentation that clearly demonstrates the right of Interconnection Customer to occupy a site of sufficient size to construct and operate the Facility. The term “necessary land right” restricts the use of the site for mutually exclusive projects, but does not restrict multi-use applications of the site in addition to its use for the Facility, such as agriculture, ranching, etc. The ISO will maintain acreage and other applicable parameters for each facility type on its OASIS or public website.

Timing to Demonstrate Site Control

- **Interconnection Customers submit their Site Control documents as part of their Interconnection Request during the Application Window of the Cluster Study**
- **NYISO will only accept Interconnection Requests during the 45-day Application Window (75 days during the Transition Cluster Study)**
- **Within 10 Business Days (15 business days during the Transition Cluster Study) of receipt of an Interconnection Request, NYISO will notify the Interconnection Customer that its Interconnection Request is valid or identify any deficiencies which includes deficiencies related to Site Control**
- **NYISO will identify deficiencies in its first review of the application and Interconnection Customer must address all deficiencies with each cure response submittal.**
- **An Interconnection Customer must cure Interconnection Request deficiencies within 10 Business Days (15 Business Days for Transition Application Window) after receipt of the deficiency notice from the NYISO, but no later than the close of the Application Window.**

Site Control Submission Requirements

Document Requirements

- All Interconnection Customers must demonstrate full Site Control at the time of their Interconnection Request and submit the following:
 - Legally binding instrument that demonstrates Interconnection Customer has the rights to develop specific fuel source and clearly sets forth the acreage to accommodate the Facility;
 - Next slide provides further details on “Accepted Site Control Document Types”
 - Signed attestation from an officer of the company; and
 - A detailed site plan and equipment layout detailing the conceptual design of the proposed facility.

Accepted Site Control Document Types

- A legally binding instrument, fully executed, that demonstrates the following:
 - The Interconnection Customer has the right to develop specific fuel source
 - Statement of exclusivity
 - Permission to use the site
 - Clearly identifies acreage of parcel
 - Term of at least 10 years from the date of submission of the Interconnection Request
- Accepted document types:
 - Title, Deed, or Tax Bill
 - Lease Agreement (includes BOEM lease for offshore wind projects)
 - Option to Lease or Option to Purchase (underlying lease term combined with the option term must add up to at least 10 years)
 - Easement
 - Right of Way

If document is not from the NYISO's accepted listed, language in the document must demonstrate Interconnection Customer has the rights described above.

Site Control Submission Requirements - Attestation

- The Interconnection Customer will submit one of two attestation forms with their Interconnection Request, depending on if their project meets the ISO's technology-specific acreage requirements.
 - Both Attestation Forms are attached to the Technical Bulletin
- Projects that Meet ISO's Technology-specific Acreage Requirements
 - The Interconnection Customer must select the attestation that notes “Use this form for projects that meet the Site Control minimum acreage requirements as set forth in ISO Procedures.”
 - On this attestation, the Interconnection Customer must indicate:
 - 1) the amount of acreage covered by the provided Site Control materials;
 - 2) Project meets the Site Control requirements set forth in NYISO OATT and ISO Procedures; and
 - 3) the acreage provided in the attestation that covers the Site Control for the Project is consistent with the acreage and other Site Control parameters for the Project's technology type set forth in ISO procedures.

Site Control Submission Requirements - Attestation

- Projects that Do Not Meet the Minimum Acreage or are Technologies Not Specified in NYISO's Minimum Acreage Requirements
 - **Interconnection Customer must select the attestation that notes “Use this form for projects that do not meet the minimum acreage requirements or the project is a technology type with acreage not specified in ISO Procedures.”**
 - **Interconnection Customer must provide a detailed narrative that explains:**
 - 1) **the special circumstances of the Project which permits a different acreage amount for Site Control than the requirements in the ISO procedures; or**
 - 2) **the description of the Project's technology type and how the land can accommodate the Project and meet Site Control requirements.**
 - **Additionally, Interconnection Customer must submit, with the Attestation, a Site plan and equipment layout (including any limitations on the site - wetlands, unusable land, spacing, setbacks, etc.) signed and stamped by a licensed professional engineer (PE)**

Site Control Submission Requirements – Site Plan

- **Site Plan and equipment layout should include the following details:**
 - Project Boundaries
 - Boundaries of Parcel(s) and/or total lease area
 - POI
 - Proposed Tie-Line and Collector Routes
 - Interconnection Customer’s Attachment Facilities
 - Any known site limitations such as wetlands, unusable land, spacing, setbacks, etc.
- **Specific site plan requirements for certain technologies:**
 - Energy Storage projects – indicate whether it is an indoor or outdoor facility
 - Solar projects - include the calculation of the percentage of land available for all equipment/facilities and the direct area occupied by the PV arrays
 - Offshore wind projects - include wind turbine layouts and spacing of rotor diameter, shipping lanes, marine cables, and no surface occupancy (portions of bight not suitable for construction)

Technology-specific Acreage Requirements

- Interconnection Customer must demonstrate that the acreage covered by the Site Control materials can reasonably accommodate the development of the proposed Facility and is consistent with the acreage and other parameters for the Facility’s technology type set forth in the Table below.

Technology Type	Acres/MW
Solar	2.8 acres/MWdc for fixed tilt PV plants 4.2 acres/MWdc for tracking plants
Wind (Land Based)	15 acres/MWac
Offshore Wind	50 acres/MWac
Battery Energy Storage	0.01 acre/MWhac
Other Technology Types	Submit (1) an attestation which provides a detailed narrative explaining how the site can accommodate the Facility; and (2) a Site Plan and equipment layout (including any limitations on the site such as wetlands, unusable land, spacing, setbacks, etc., and other technology-specific requirements) signed and stamped by a licensed professional engineer

Other Site Control Requirements

- **Demonstration of full Site Control for Facility (Generating Facility or Cluster Study Transmission Project) with Interconnection Request**
 - Site Control must cover a period of at least 10 years from the date of the submission of the IR
 - Interconnection Customer must re-confirm full Site Control with project modifications (including COD extensions) and before execution of the Standard Interconnection Agreement
 - Interconnection Customer is not required to demonstrate Site Control for generator tie line or POI facilities
- **The party's name listed on the Site Control documentation should match the name of the Interconnection Customer on the Interconnection Request form or revised Interconnection Request form, if approved by the NYISO.**
 - In situations where the name differs, the Interconnection Customer is responsible for providing additional documentation explaining the corporate relationship such as, an SEC filing, document on file with the applicable secretary of state, other official corporate document, or a purchase sale agreement.

Other Site Control Requirements, cont.

- For multi-unit Facilities on the same site and behind the same Point of Interconnection, the Interconnection Customers must demonstrate via one of the “Accepted Site Control Document Types” shared land use for all co-located Facilities that meet the Site Control definition.
- If the same Site Control is being used for facilities under different Interconnection Requests, Interconnection Customers must also explain how all proposed facilities will be situated within the area (mutually exclusive alternatives are not permitted).
- Interconnection Customer cannot submit duplicate land rights for multiple Interconnection Requests, unless the site is large enough to host multiple Facilities.

Regulatory Limitation

- **An Interconnection Customer with a demonstrated Regulatory Limitation, from a federal, state, local, or Tribal law other than permitting or siting requirements, which makes it infeasible to obtain site control prior to submission of its Interconnection Request may submit a Site Control Deposit in lieu of Site Control at the time of their Interconnection Request submission.**
- **For example, a Regulatory Limitation could be a federal, state, local and/or Tribal law that requires a validated NYISO Interconnection Request before an Interconnection Customer may obtain necessary land rights to demonstrate Site Control.**

Regulatory Limitation, cont.

- To demonstrate a regulatory limitation, an Interconnection Customer must submit:
 - 1) a signed affidavit from an officer of the company indicating that Site Control is unobtainable due to regulatory limitations as the term is defined by the NYISO; and
 - 2) documentation sufficiently describing and explaining the source and effects of such regulatory limitations, including a description of any condition that must be met to satisfy the regulatory limitations and the anticipated time by which the Interconnection Customer expects to satisfy the regulatory restrictions.

Site Control Deposit for a Regulatory Limitation

- **Site Control Deposit for an Interconnection Customer with a demonstrated regulatory limitation**
 - \$10,000/MW, subject to a floor of \$500,000 and a ceiling of \$2 million
 - Must be submitted at the same time as submission of the Interconnection Request.
 - Will be held by the NYISO until the Interconnection Customer can demonstrate full Site Control prior to entering the Cluster Study Phase 2, unless Interconnection Customer provides documentation that demonstrates they are taking identifiable steps to secure the necessary regulatory approvals.
 - Refundable but cannot be applied toward study costs in the Cluster Study Process or Withdrawal Penalties.
- **Such Interconnection Customer must demonstrate full Site Control within 180 calendar days of the effective date of the Standard IA.**

Next Steps

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- The NYISO requests comments from stakeholders on the draft Technical Bulletin by May 20, 2024.
- The NYISO anticipates returning to the June 3, 2024 TPAS to discuss any comments and review any revisions to the Technical Bulletin posted with these materials.
- Once finalized, the NYISO will post the Site Control Technical Bulletin on the NYISO website under “Technical Bulletins”
- Site Control Technical Bulletin is expected to be incorporated into the next revision/version of the Transmission Expansion and Interconnection Manual.

Questions?

Roles of the NYISO

- **Reliable operation of the bulk electricity grid**
 - Managing the flow of power on 11,000 circuit-miles of transmission lines from hundreds of generating units
- **Administration of open and competitive wholesale electricity markets**
 - Bringing together buyers and sellers of energy and related products and services
- **Planning for New York's energy future**
 - Assessing needs over a 10-year horizon and evaluating projects proposed to meet those needs
- **Advancing the technological infrastructure of the electric system**
 - Developing and deploying information technology and tools to make the grid smarter

Our Mission & Vision



Mission

Ensure power system reliability and competitive markets for New York in a clean energy future



Vision

Working together with stakeholders to build the cleanest, most reliable electric system in the nation