

PJM Site Control Deficiency Response Guide

Complete reference for every deficiency type PJM (and HyperQ) can flag - fatal vs. curable determination, exact fix documents, OATT and Manual 14H citations, and what Tapestry's AI checks in your application.

Published: May 2026 Applies to: PJM Cycle 1 (Validation window zonevex.com/resources/pjm-deficiency-response-guide)

CRITICAL: PJM requires 100% site control at application. FERC Order 2023 minimum is 90%.

A developer who reads the federal order, assembles instruments covering 93% of the project boundary, and submits - confident they meet the FERC minimum - will receive a deficiency notice from PJM. This single divergence accounts for a disproportionate share of preventable Cycle 1 deficiencies.

Response window: 10 business days from receipt. The clock starts on receipt, not acknowledgment.

What HyperQ Checks

PJM's Cycle 1 Application Review Phase uses HyperQ - Tapestry's agentic AI system (Alphabet X / Google DeepMind). Initial review completes in minutes. HyperQ runs five specific checks on every site control package:

Legal rights verification

Reads instrument language and validates that the developer holds a qualifying property right. Checks that conveyance, term, and exclusivity are satisfied simultaneously.

Acreage adequacy cross-reference

Compares instrument acreage against technology-specific density thresholds (5 ac/MW solar, 30 ac/MW wind, 1 ac/100 MWh storage, 10 ac/facility synchronous).

Document clustering

Groups original lease + all amendments into a unified bundle. A missing amendment is itself a flag. Reads all documents together - not just the original.

Signature verification (visual)

Uses multimodal AI to detect signatures visually. A blank signature page flags even if surrounding text is complete.

Citation anchoring

Every conclusion cites a specific page/paragraph. When you receive a deficiency notice, read the citation first - it shows exactly what HyperQ evaluated.

Fatal vs. Curable - Summary Table

Deficiency outcome is determined by when it is discovered and whether qualifying evidence can be assembled within the applicable cure window.

#	Deficiency Type	Outcome	Deadline	Rule
1	Coverage gap (below 100%)	FATAL post-window	Before app window closes	OATT §302(A)(3)

2	LOI/MOU - disqualified instrument	FATAL post-window	Before app window closes	OATT §302
3	Encumbrance / missing SNDA	FATAL post-window	Before app window closes (90d lead)	OATT §302; M14H §7.1.4
4	Wet signature missing on certification	CURABLE 10 BD	10 BD cure window	M14H §7
5	GIS boundary mismatch or APN error	CURABLE 10 BD	10 BD cure window	M14H §7.1.5
6	Exclusivity failure / TIC co-tenancy gap	FATAL if not pre-filed	Before app window (12-24 mo TIC)	OATT §302(A)(8)(b)
7	Officer Certification error	CURABLE 10 BD	10 BD cure window	M14H §7
8	Entity mismatch	CURABLE 10 BD*	10 BD cure window	OATT §302; M14H §7.1.2
9	Term deficiency (option expiration)	CURABLE before DP III	Before Decision Point III	OATT §302(A)(8)(a)
10	Technology density failure	FATAL if genuinely insuff	Before app window closes	OATT §302(A)(3); M14H §7.1.6

* Entity mismatch is curable if assignment docs exist and can be executed within 10 BD; may become practical-fatal if landowner consent is required.

1. Coverage Gap - Insufficient Acreage

Status: FATAL post application window - No cure available after window closes

Trigger: Total qualifying instrument acreage is less than 100% of the project boundary. PJM calculates: qualifying acreage / project boundary acreage. Any ratio below 1.0 is deficient.

PJM vs. FERC threshold: FERC Order 2023 requires 90% at application. PJM Manual 14H requires 100%. A developer meeting FERC's 90% minimum but below PJM's 100% will still receive a deficiency notice.

Common causes:

- * Setback buffers not covered - state law requires 50-300 ft setbacks (VA: 50-100 ft; MD/PA: up to 300 ft; OH: 75 ft or turbine height +10%). Instruments must cover setback areas even where no equipment is placed.
- * Parcel fringe gap - GIS boundary extends a few feet into an adjacent parcel not under contract.
- * Multi-project acreage overlap - same parcel submitted for two applications. PJM cross-references its own queue. OATT §302 mandates automatic termination of all affected requests.

Cure (pre-window close only): Execute new instruments covering gap parcels. At DP I, adjacent parcels may be added with documentation. Non-adjacent parcels require recorded easements (M14H §7.2.2).

Rule: OATT Part VII, Subpart A, §302(A)(3) | Manual 14H §7.1 | Manual 14H §7.2.2

2. Disqualified Instrument Type - LOI / MOU

Status: FATAL post application window - No qualifying instrument = no cure after window

Trigger: Developer submits letter of intent, MOU, term sheet, or similar as evidence of site control. OATT §302 explicitly prohibits 'memorandums and documentation solely evidencing an intent to purchase or control a Site.'

Qualifying instruments: (1) deed; (2) executed lease; (3) executed option to lease or purchase; (4) other PJM-acceptable instrument granting qualifying property rights.

Rights-of-way: ROW agreements cover interconnection facilities to the POI only - they do not satisfy the generation site control requirement.

Memorandum of lease: A memorandum of lease does not substitute for the full executed lease.

Cure: Execute a qualifying instrument before the application window closes. LOI-stage negotiations must be completed and binding instruments signed before submission.

Rule: OATT Part VII, Subpart A, §302 (explicit prohibition)

3. Encumbrance / Missing SNDA

Status: FATAL post application window - Lender SNDA requires 60-90+ day lead time - cannot be obtained post-notice

Trigger: A submitted parcel has an undisclosed recorded mortgage, deed of trust, agricultural easement, conservation easement, or other senior encumbrance with no executed SNDA from the lender.

An SNDA (Subordination, Non-Disturbance, and Attornment) requires three elements from the lender:

- * Subordination - lender acknowledges the developer's lease as a recognized property interest.
- * Non-Disturbance - lender agrees not to disturb developer's possession rights in foreclosure.
- * Attornment - developer agrees to recognize lender as new landlord if foreclosure occurs.

Lead time: Agricultural and rural lenders typically require 60-90+ days to process an SNDA request. A request initiated after receiving a deficiency notice will not be processed in time. Initiate SNDA requests at least 90 days before the application window opens.

Conservation / agricultural easements: Recorded conservation easements and USDA program easements (CRP, WRP, RCPP) create senior rights that may prohibit generation facility uses. Identify these via full title search on every parcel before signing the lease.

Rule: OATT §302 | Manual 14H §7.1.4

4. Wet Signature Missing or Deficient

Status: CURABLE within 10-business-day window

Trigger: Officer Certification or required landowner attestation signed via DocuSign or other electronic method, and HyperQ's visual inspection flags absence of a physical wet signature.

Sub-types:

- * Officer Certification unsigned - form prepared but signature page not executed or omitted from upload.

- * Wrong signatory - signed by authorized representative rather than an officer (President, CEO, VP, or equivalent) of the Project Developer entity.
- * Digital-only signature - may be legally valid in some states, but PJM review practice historically prefers wet signatures on the Officer Certification.

Cure: Re-execute the affected document with a wet signature from a qualifying officer of the correct entity, dated within the cure window. Update the Officer Certification date to reflect re-execution. Resubmit through Queue Point within 10 BD.

Rule: Manual 14H §7 - Officer Certification template

5. GIS / Parcel Boundary Mismatch or APN Error

Status: CURABLE within 10-business-day window

Trigger (GIS mismatch): KML/KMZ boundaries do not match instrument property descriptions. Even a few feet of discrepancy triggers a flag. Common causes:

- * KML drawn from satellite imagery rather than county parcel data (satellite can deviate 5-30 ft).
- * GIS includes adjacent parcels for visual context, inadvertently expanding the depicted boundary.
- * Road ROW, utility corridors, or drainage easements bisect the boundary and are not separately addressed.

Trigger (APN error): Assessor Parcel Number in the parcel table does not match the county's exact format. PJM requires APNs in the county's exact format. A parcel formatted 123-456-789 in a county using 123.456.789 format will produce a mismatch.

Trigger (acreage discrepancy): Instrument says 'approximately 50 acres' but county assessor shows 47.3 acres. PJM uses the lower figure unless a PE-stamped survey resolves it.

Cure: (1) Regenerate GIS from county parcel data. (2) Correct all APN entries to county's exact format. (3) Submit PE-stamped survey if acreage is disputed. (4) Resubmit corrected KML/KMZ and parcel table within 10 BD.

Rule: Manual 14H §7.1.5 | OATT §302(A)(3)

6. Exclusivity Failure - Including TIC / Co-Tenancy Gap

Status: FATAL if not resolved before application - TIC cure requires 12-24 months - cannot fix in 10 BD

Trigger: The submitted instrument does not demonstrate exclusive right to occupy and use the site. OATT §302(A)(8)(b) requires 'written acknowledgment from the landowner' confirming exclusive use and prohibiting competing grants.

The TIC (tenancy-in-common) problem - the most dangerous exclusivity trap in PJM territory:

A tenancy-in-common is co-ownership where multiple parties each hold an undivided interest. In rural mid-Atlantic states (PA, VA, MD), TIC ownership is endemic in multi-generational inherited farmland. A parcel may have 5-15 co-owners, some unaware of their ownership, living out of state, or deceased.

Critical rule: OATT §302 requires 'written acknowledgment from the landowner' - legally interpreted as ALL owners. A lease signed by 2 of 3 co-owners provides ZERO site control coverage for that parcel.

Other exclusivity failures:

- * Non-exclusive easement - expressly states it is non-exclusive or grants competing rights to third parties.
- * Shared-use lease - permits landowner to continue farming or grant hunting/grazing rights that interfere with construction.
- * Prior option or ROFR - previously executed option or right of first refusal in favor of a third party.

Cure (pre-filing only): For TIC: execute instruments with ALL co-owners. If a co-owner is deceased, initiate probate proceedings. For non-exclusive easements: execute a replacement exclusive easement. TIC identification requires a full title search plus skip-tracing - begin 12-24 months before filing.

Rule: OATT §302(A)(8)(b)

7. Officer Certification Error

Status: CURABLE within 10-business-day window - in most cases

Trigger: One of three sub-errors in the Officer Certification:

- * Wrong entity - certification signed by parent/holding company officer rather than an officer of the Project Developer entity named in the ASA. Even if the parent is the ultimate guarantor, the certification must be in the exact Project Developer entity name.
- * Stale or inconsistent dates - certification date predates the most recently executed instrument amendment. HyperQ cross-references certification date against all instrument execution dates and flags earlier certifications.
- * Wrong template - an older template from TC1, TC2, or RRI, or a custom form drafted by counsel, used instead of PJM's current published template. Template changed with the July 2025 Manual 14H update.

Cure: Download PJM's current Officer Certification template. Execute a new certification: (a) in the Project Developer entity name on the ASA; (b) signed by a qualifying officer; (c) dated on or after the most recently executed instrument; (d) referencing cured documents by filename. Resubmit within 10 BD.

Rule: Manual 14H §7 - Officer Certification template | Manual 14H Rev. July 23, 2025 MRC update

8. Entity Mismatch - Applicant != Instrument Grantee

Status: CURABLE within 10-business-day window (with caveats) - May become practical-fatal if landowner consent required

Trigger: Project Developer entity named in the ASA differs from the entity named as grantee on the site control instruments. PJM's tariff: evidence 'must be from the same company name that is providing the New Service Request.'

Common scenarios:

- * Site control assembled in development company's name; SPV formed to file application; instruments remain in parent's name.
- * Developer restructured, changed name, or merged after executing instruments.
- * Project transferred between developers; instruments in prior developer's name with no recorded assignment.

Cure: (1) Execute assignment of site control instruments from current grantee to Project Developer. Most leases require landowner notice or consent for assignment. (2) If instruments prohibit assignment, execute new instruments in the correct entity name. (3) Submit organizational chart or corporate resolution demonstrating legal relationship. (4) Resubmit within 10 BD.

Watch: Anti-assignment clauses requiring landowner written consent - if landowner is unresponsive or contentious, the assignment may not be executable within 10 business days, converting this to practical-fatal.

Rule: OATT §302 | Manual 14H §7.1.2

9. Term Deficiency - Option Expiration Before Decision Point III

Status: CURABLE - deadline is Decision Point III, not 10 BD window

Trigger: An option instrument has a term that expires before Decision Point III (IA execution, projected 2028-2029 for Cycle 1 projects). OATT §302 requires instruments to run for the term necessary at each milestone. At DP III, instruments must have a minimum 3-year remaining term.

The extension trap: OATT §302(A)(8)(a) states extensions satisfy term requirements only if 'exercised and any requisite conditions fulfilled, including any payment obligations, by the Project Developer at the time evidence of Site Control is provided.' An unexercised extension option - even if available - does not count.

Cycle 1 timeline math: IA execution projected 2028-2029. An option submitted at application (April 2026) with a 2-year initial term and no exercised extensions expires April 2028 - before projected IA execution.

Cure: Exercise available extensions and provide PJM evidence of exercise (executed extension agreement + payment confirmation) before the relevant Decision Point. If total term is insufficient, renegotiate or convert to an executed lease before DP III. Planning rule: begin conversion discussions by Q1 2027 for Cycle 1 projects.

Rule: OATT §302(A)(8)(a)

10. Technology Density Failure

Status: FATAL if acreage genuinely insufficient - Curable only via PE stamp, MW reduction, or additional parcels

Trigger: Total qualifying instrument acreage is insufficient for the stated nameplate capacity under Manual 14H technology-specific density minimums. OATT §302(A)(3) states that failure to verify adequate acreage 'shall result in the New Service Request being deemed terminated and withdrawn.'

Technology	Minimum Density	100 MW Example	Source
Solar PV	5 acres/MW	500 acres required	M14H §7.1.6
Wind	30 acres/MW	3,000 acres required	M14H §7.1.6
Battery Storage	1 acre per 100 MWh	1 acre per 100 MWh cap.	M14H §7.1.6
Synchronous Gen.	10 acres per facility	10 acres regardless of MW	M14H §7.1.6

PE-stamp cure: Submit a PE-stamped site plan drawing showing a higher-density configuration, signed by a PE licensed in the facility state (neighboring-state seal is not curative), specifying the Maximum Facility Output (MFO) for that configuration.

MW reduction option: Reduce the stated nameplate capacity to match available acreage. A 100 MW solar project with 420 acres can be resubmitted as an 84 MW project ($420 / 5 = 84$ MW). Reduces study deposits and changes network upgrade cost profile but preserves the application position.

Rule: OATT §302(A)(3) (termination consequence) | Manual 14H §7.1.6

Assembling the Response Packet

A deficiency response is not a letter - it is a structured re-submission to Queue Point that maps each cure to the specific deficiency item in the notice.

1. Cover letter

One PDF addressed to the assigned PJM Project Manager. Number each deficiency item from the notice. For each: (a) describe the deficiency; (b) identify the cure document by filename; (c) state the Queue Point upload location. File name: [QueueNumber]_Deficiency_Cure_[YYYYMMDD].pdf

2. Cured site control instruments

Replacement lease, option, amendment, recorded assignment, or executed SNDA as applicable to each type. Instruments in good order do not need resubmission.

3. Refreshed Officer Certification

New certification dated within the cure window, in the Project Developer entity name, referencing cured documents by filename and execution date. Redate even if the original was not itself deficient.

4. PE-stamped site plan (if density or acreage deficiency)

PE seal must be from a PE licensed in the facility state. Neighboring-state seals are not curative.

5. Corrected GIS file

KML or KMZ reflecting the cured instrument package. Site boundary, collector substation, interconnection switchyard, and POI must all be present and drawn from parcel data.

6. Updated parcel table

Correct all APN format errors, acreage discrepancies, and entity name fields.

Important: The 10 BD window does not stop for PJM responses to your questions.

Submit the best available response within the window, then escalate disputes after the fact. Large files: IPSecureShare@pjm.com with queue number in subject.

Sources and Further Reading

- * PJM OATT Part VII, Subpart A, §302 - Site Control (Docket ER24-2398-000, effective Aug 28, 2024)
- * PJM Manual 14H: New Service Requests Cycle Process, Revision 03 - Sections 6, 7, 7.1-7.3, 8, Attachment Q
- * Manual 14H Site Control Changes - July 23, 2025 MRC Presentation
- * Manual 14H Revisions - March 19, 2025 MRC Presentation
- * FERC Order 2023 - Interconnection Final Rule (July 28, 2023)
- * PJM Inside Lines: 811 Projects, 220 GW in Cycle 1 (April 29, 2026)
- * Tapestry: How Agentic AI Can Help Grid Operators Speed Up Interconnection (HyperQ white paper)

Educational resource only - not legal, financial, or engineering advice. Verify against PJM's official documentation before submission. Full online version with hyperlinks: zonevex.com/resources/pjm-deficiency-response-guide