ESB NETWORKS

LEU Pre-Engagement and Application Process

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1. Introduction

As part of the Commission for Regulation of Utilities (CRU) Large Energy User (LEU) Connection Policy Decision[1] in December 2025 (Decision), the System Operators were asked to design an engagement and connection process for data centre connection applicants. This document sets out ESB Networks' position with regard to the key requirements set out in the CRU Decision and this document should be read in conjunction with that Decision. Where there is a discrepancy between this document and the CRU Decision, the CRU Decision will take precedence.

For the purposes of this document "ESB Networks" means ESB Networks DAC in its capacity as the licensed distribution system operator or "DSO".

This application process must be followed by all customers applying after the date of the CRU decision.

ESB Networks reserves the right to amend or update this process document at any time to reflect (without limitation) new or amended CRU directions, changes in legislation or policy, or amendments to the ESB Networks Connection Agreement specifically for data centre (DC) customers, which shall require the CRU's approval. Applications received after the date of publication of an amended or updated engagement and connection process document shall be assessed under the amended or updated process, unless otherwise directed by the CRU.

The issuance of any offer under this process shall be subject to the approval by the CRU of any required changes to the Connection Agreement.

1.1 The Application and Engagement Process

Section 3.9.3 of the Decision sets out the details of the required Application and Engagement process.

Stages of the process: *The relevant stages of the connection process and the associated indicative timelines, including proposals for early engagement for data centre applicants.*

Application Requirements: *The SOs should set out the requirements for a complete project application including a template application form, requirements for supporting documentation (including any relevant planning permission requirements, proof of generation, etc.), and any applicable fees. These requirements should be based on the assessment criteria outlined in this decision, along with other information that the SOs deem relevant.*

Offer process: *SOs to provide clarity on the type of information and requirements that would be included in a connection offer.*

1 *CRU2025236_Large_Energy_User_connection_policy_decision_paper.pdf*

1.2 Definition of Data Centre

The term data centre should be interpreted in accordance with the CRU LEU Decision.

1.3 Category of Data Centres

There are three broad categories of data centres to which the CRU LEU policy applies.

1. De-minimis level, i.e. data centre applicants with a Maximum Import Capacity (MIC) below 1 MVA.
2. Autoproducer, i.e. data centre that provides an autoproducer unit that meets 100% of the demand site's MIC on a derated basis and participates in the wholesale generation market.
3. Data centres with MIC equal to or greater than 10 MVA, that provide onsite or proximate dispatchable generation or storage capacity which matches their MIC.

1.4 Change of Use

As the CRU decision does not apply to non-data centre customers, those customers are not bound by the additional application requirements set out in this document.

However, where a non-data centre customer seeks to change the use of their facility to a data centre, they shall notify ESB Networks of this intention and they shall be required to meet the data centre requirements as set out in this policy.

2. Category 1: Data Centres Below the De-minimis Level

2.1 Overview

This category relates to data centre applicants who have an MIC requirement of less than 1 MVA or an existing DC requesting an MIC increase where the total final MIC is less than 1 MVA.

Data centres in this category should make a grid application via the normal demand connection offer process by completing an on-line demand application form (NC3 form). Data centre companies shall be required to confirm that the application is for a data centre. ESB Networks shall process the application in a similar way and according to the same timeframes as other commercial customers of this size.

It should be noted however, that as per the CRU Decision [1], ESB Networks shall consider if the facility is located in a constrained area, as per Section 6 of this document, and this may affect the final decision on whether a connection offer is made. If ESB Networks deems that the application has not met the assessment criteria and that an offer cannot be made, then the application shall not be processed further, and the customer shall be notified of the outcome.

2.1.1 Stages of Process

Data centre applicants may contact ESB Networks prior to submission of their application at the following email address: esbnetworkscommercialteam@esb.ie. Note, for the avoidance of doubt, submission of a query to this inbox does not constitute an application.

During this stage, ESB Networks shall endeavour to respond to any queries and facilitate meetings with potential applicants to provide further information and to clarify any issues associated with the formal application process.

An applicant (for either a new connection or an MIC increase) should apply as normal through the ESB Networks portal using the NC3 form. In order to ensure that the CRU Decision is applied correctly, applicants are required to specify whether or not the application is for a data centre. A data centre applicant shall clearly state the nature of their business in the Business Details section and select 'Data Centre' as the customer type on the NC3 application form. If a data centre applicant does not stipulate that the application is for a data centre, and ESB Networks enters into a Connection Agreement on the basis that the customer's facility is not a data centre, then, ESB Networks shall be entitled to terminate any agreement that is subsequently executed on foot of that application.

Should the customer decide to proceed with an application, it shall be processed in the same way as other MIC applications. If, following the appropriate planning studies, an offer is made, the customer shall have 90 days to accept and pay the capital contribution.

If ESB Networks decides that an offer cannot be made based on the application of the criteria in the CRU Decision, the application shall not be processed further, and the application shall be terminated. The customer shall be advised of this decision and given reasons for the decision as soon as possible.

1 *CRU/2025236, Section 3.2.5*

2.2 Application Requirements

The following data centre details are required:

- Location
- MIC requirements
- Whether it is for a new application or for an MIC increase
- Proof of planning permission is not required in order to submit an application, but it shall be required prior to energisation in accordance with the Connection Agreement
- All other data as specified in NC3 form shall be required.

2.2.1 Application Fee

In line with current standard application process for customers of this size, there is no application fee for data centre applications in this category.

3. Category 2: Data Centres that meet Autoproducer Status.

3.1 Overview

As per the CRU decision, data centre applicants that meet autoproducer status are required to meet 100% of the demand site's MIC on a de-rated basis and participate in the wholesale electricity market. The demand and the generation and/or storage capacity shall be behind the same connection point.

The pathway for autoproducer applicants making a grid application is the Electricity Connection Policy – Generation and System Services (ECP-GSS) application process.

As per the ECP-GSS application process, applicants shall make a Pre-Application Notification (PAN) as per the CRU approved PAN closing deadline. The PAN shall include details including (but not limited to) the location of the project(s), the MIC requested, the MEC requested, and initial details outlining how the applicant shall meet all the criteria set out in the CRU Decision.

3.2 Stages of Process

The sections below provide details of the information required at each stage of the application process. Please note ESB Networks reserves the right to request further information from the applicant to validate compliance with the Decision at any stage.

3.2.1 Optional Early Engagement

Data centre applicants may contact ESB Networks in advance of the Pre-Application Notification stage below. Queries should be submitted to: esbnetworkscommercialteam@esb.ie. It is strongly recommended that customers avail of this early engagement facility as this helps to reduce the number of follow up queries that may arise during the application process.

Note, for the avoidance of doubt, submission of a query to this inbox does not constitute an application.

As part of this early engagement, ESB Networks shall endeavour to respond to queries and facilitate meetings with potential applicants to clarify any issues associated with the formal application process. Depending on the number of applications, ESB Networks may consider hosting customer clinics to allow for more efficient management of application queries, however, this would not be a forum for specific queries on applications.

3.2.2 Pre-Application Notification (PAN) Stage

At the PAN stage, the minimum information the autoproducer applicant shall provide includes:

- The location details of the project.
- The MIC requested including an estimated energisation date which factors in the energisation date of the dispatchable generation required to match the MIC.
- The MEC of the de-rated dispatchable generation as per the technology and shall demonstrate how it matches the MIC requested, as detailed in the CRU decision.
- A credible plan to meet the 80% renewable requirement. (See Section 7 of this document for further information on this requirement).
- Evidence of a valid planning application for the dispatchable generation and data centre site and expectation of final grant of planning by the batch closing deadline.

3.2.3 Customer Engagement Stage

- Once the autoproducer applicant has submitted the correct details as part of the PAN stage, ESB Networks shall assess whether the criteria set out in the CRU decision have been met or if further information is required before a formal grid application should be made.
- A customer engagement meeting may be scheduled to give the applicant feedback and identify the next steps to making a formal grid application before the batch closing deadline.
- The customer engagement meeting shall provide a high-level review of the anticipated connecting voltage, and the works required for the data centre and generation connections including available transformer capacity, transformer uprates, the connecting node and any other known details relating to the connection.

3.2.4 ECP-GSS Application Process Stage

- The following criteria apply for application to the ECP-GSS process.
- A data centre applying as an autoproducer shall complete both a demand (NC3) and a generator (NC5) application form in accordance with the ECP-GSS process which is subject to two separate batch closing deadlines currently the 31st March and 30th September each year.
  - For the avoidance of doubt and in order to ensure that the CRU decision is applied as required, applicants shall be required to specify that the application is for a data centre. A data centre applicant shall clearly state the nature of their business in the Business Details section and select 'Data Centre' as the customer type on the NC3 application form. If a data centre applicant does not stipulate that the application is for a data centre, and ESB Networks enters into a Connection Agreement on the basis that the customer's facility is not a data centre, then, ESB Networks shall be entitled to terminate any agreement that is subsequently executed on foot of that application.
- The autoproducer applicant shall have final grant of planning for both the data centre site and the dispatchable generation by the batch closing deadline.
- Evidence shall be provided demonstrating that the generator shall be capable of meeting required performance and availability standards as any other equivalent unit in the system. As per the CRU decision, evidence shall be provided that the generator shall be available to the system on an operational basis and should not be bound by limited run hours outside of agreed levels of routine necessary maintenance.
- Details of the credible plan to meet the 80% renewable requirement. (See Section 7 of this document for further information on this requirement).

3.2.5 Technical Studies and Application Processing Stage

Completed applications for the generation and demand connection will be included in the wider application processing queue and processed in accordance with standard application processing timelines.

Where required, agreement with Eirgrid shall be sought before an offer is issued to the customer. This is the standard process for larger demand and generation applications for connection to the distribution system.

The customer's impact on system stability shall be considered as part of the application assessment. Data centre customers shall therefore be required to provide details of the forecast demand behaviour of their facility including dynamic models, typical demand profiles and details of any equipment to be installed when available to identify and mitigate system stability issues.

3.3 Application Fees

A non-refundable "Pre-application Notification deposit" is payable to ESB Networks on submission of the Pre-application Notification. The balance of the application fees associated with the data centre formal grid application is payable within one month of the batch closing deadline. Details of payable application fees are published on the generator application section of ESB Networks website.

4. Category 3: Data Centres with an MIC equal to or greater than 10 MVA

4.1 Overview

As per the CRU decision, data centre applicants making a grid application for demand equal to or greater than 10 MVA shall match 100% of the demand site's MIC with dispatchable generation and/or storage capacity.

It is expected that customers with an MIC equal to or above the de-minimis and less than 10 MVA will apply as an autoproducer and follow that standard ECP-GSS process as set out above in section 3. However, the CRU decision provides that a data centre applicant of this size may apply using proximate dispatchable generation. If the applicant wishes to pursue this option, then the same rules shall apply as those that apply for applications for MIC greater than 10 MVA.

The pathway to making a grid application is the Electricity Connection Policy – Generation and System Services (ECP-GSS) application process.

ESB Networks has decided that, because the generation requirement is now an integral element of the criteria for connection of a data centre, it is reasonable to link the demand element of the project to the generation element of the project in the now well-established and regulated ECP process. Using this process ensures that the two elements of the project progress in similar timeframes, provides clarity to developers regarding milestones, and certainty that applications are processed by System Operators within defined timeframes.

As per the ECP-GSS application process, applicants shall make a Pre-Application Notification (PAN) as per the CRU approved PAN closing deadline. The PAN shall include the relevant details including the location of the project(s), MIC requested, MEC requested and details outlining how the applicant shall meet all the criteria set out in the CRU Decision.

4.2 Stages of Process

The sections below provide details of the information required at each stage of the application process. Please note ESB Networks reserves the right to request further information from the applicant to validate compliance with the CRU decision at any stage.

4.2.1 Pre-Engagement and Application Timelines

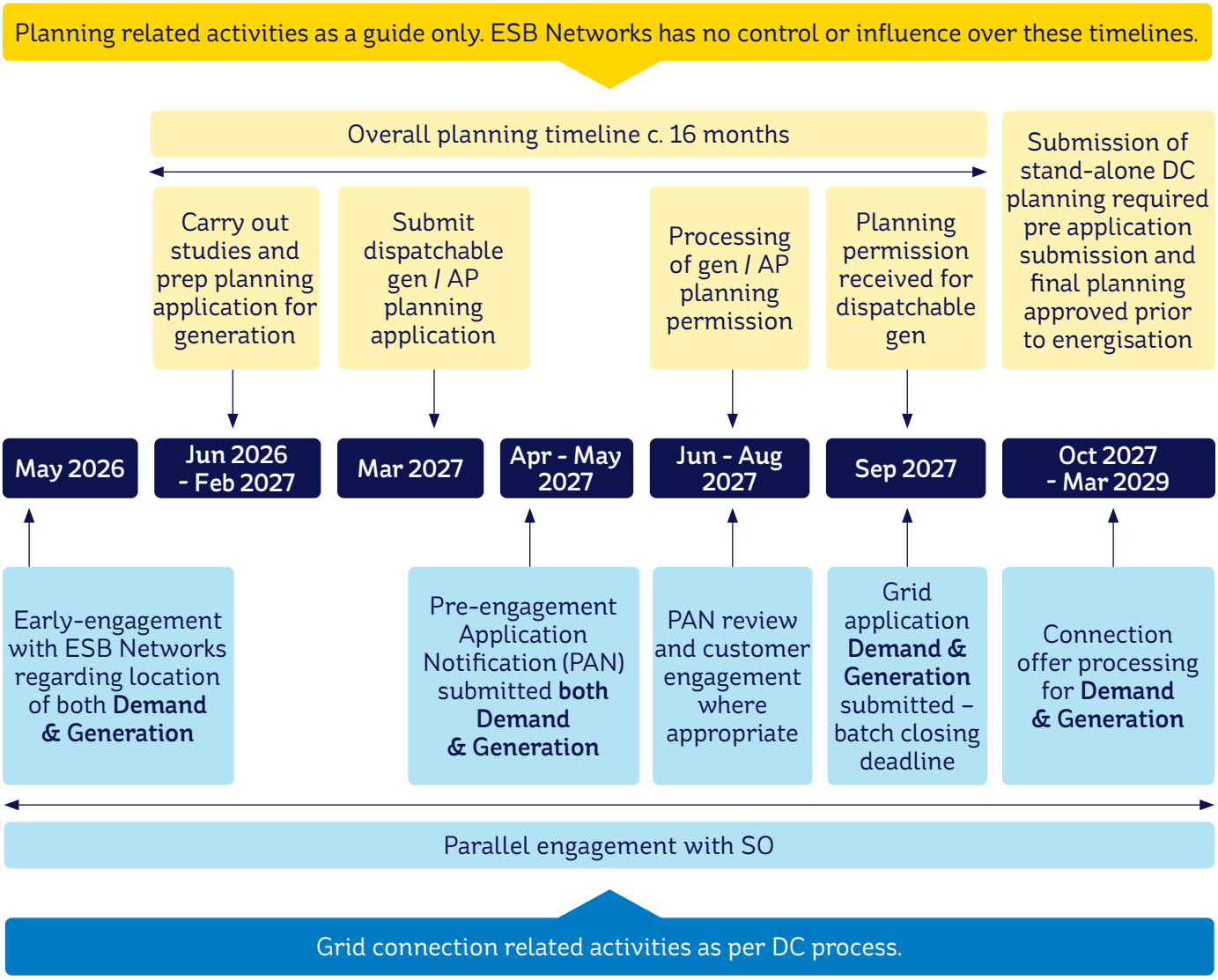
To process applications efficiently and provide data centre applicants with the pre-engagement prior to making a grid application, ESB Networks considers it appropriate that applicants follow the ECP-GSS process for both the generation and demand applications.

Figure 1 represents an indicative pre-engagement process for data centres who intend submitting a grid application by the batch closing deadline.

Pre-engagement notifications shall be submitted by the appropriate deadline to allow ESB Networks time to review and engage with the applicant and provide feedback including a customer meeting to discuss details of the application prior to the customer making a grid application by the batch closing deadline.

Figure 1 - Pre-engagement and application sample process timeline where generation not contracted.

Illustrative timeline only, exact dates dependent on ECP process at time of application.



4.2.2 Optional Early Engagement Stage

Data centre applicants may contact ESB Networks in advance of the Pre-Application Notification stage below. Queries should be submitted to: esbnetworkscommercialteam@esb.ie. It is strongly recommended that customers avail of this early engagement facility as this helps to reduce the number of follow up queries that may arise during the application process.

As part of this early engagement, ESB Networks shall endeavour to respond to queries and facilitate meetings with potential applicants to clarify any issues associated with the formal application process. Depending on the number of applications, ESB Networks may consider hosting customer clinics to allow for more efficient management of application queries, however, this would not be a forum for specific queries on applications.

4.2.3 Pre-Application Notification (PAN) Stage

At the PAN stage, the minimum information the applicant shall provide includes:

- The location details of both the data centre and the dispatchable generation.
- The MIC requested including an estimated energisation date which factors in the energisation date of the dispatchable generation required to match the MIC.
- The MEC of the onsite or proximate dispatchable generation. The MEC shall be the de-rated dispatchable generation as per the technology and shall at least match the MIC requested, as detailed in the CRU decision.
- Provide clarification on whether the required onsite or proximate[1] generation shall be developed by the data centre company or by a third party.
- Provide clarification on what stage the proposed generation facility is at with regard to the ECP process.
- Have a credible plan to meet 80% renewable requirement. (See Section 7 of this document for further information on this requirement).
- Evidence of a valid planning application for the dispatchable generation and expectation of final grant of planning by the batch closing deadline.
- The data centre and the dispatchable generation requirement shall be electrically proximate i.e. at the same 110 kV node.

4.2.4 Customer Engagement Stage

- Once the data centre applicant has submitted the correct details as part of the PAN stage, ESB Networks shall assess whether the criteria set out in the CRU decision have been met or if further information is required before a formal grid application should be made.
- A customer engagement meeting shall be scheduled to give the applicant feedback and identify the next steps to making a formal grid application before the batch closing deadline.
- The customer engagement meeting shall provide a high-level review of the anticipated connecting voltage, and the works required for the data centre and generation connections including available transformer capacity, transformer uprates, the connecting node and any other known details with the connection.

1 *"Proximate Generation" is defined as generation that is at the same 110kV node as the demand site.*

4.2.5 ECP-GSS Application Process Stage

On application to the ECP-GSS process

- A data centre applicant shall complete both a demand and a generator (NC3 and NC5) application form in accordance with the ECP-GSS process which is subject to two separate batch closing deadlines currently the 31st March and 30th September each year.
  - For the avoidance of doubt and in order to ensure that the CRU Decision is applied as required, applicants shall specify that the application is for a data centre. A data centre applicant shall clearly state the nature of their business in the Business Details section and select 'Data Centre' as the customer type on the NC3 application form. If a data centre applicant does not stipulate that the application is for a data centre, and ESB Networks enters into a Connection Agreement on the basis that the customer's facility is not a data centre, then, ESB Networks shall be entitled to terminate any agreement that is subsequently executed on foot of that application.
- The data centre applicant shall have made a valid planning application to the relevant authority for the data centre site by the batch closing deadline.
- The data centre applicant shall have final grant of planning permission for the generation used as part of the dispatchable generation.
- The data centre applicant shall provide details of the credible plan to meet the 80% renewable requirement. (See Section 7 of this document for further information on this requirement).
- Evidence that the generator shall be capable of meeting the required performance and availability standards as any other equivalent unit in the system. As per the Decision, evidence shall be provided that the generator shall be made available to the system on an operational basis and should not be bound by limited run hours outside of agreed levels of routine necessary maintenance.
- Where the generation facility will be provided by a third party, the data centre shall provide a Director's declaration confirming that the dispatchable generation facilities identified as supporting the data centre application meet the requirements as set out in the CRU decision.
- A Director's declaration confirming that the dispatchable generation facilities identified as supporting the data centre application are allocated to this data centre only and have not been assigned to any other data centre application unless it is for a separate portion of the MW capacity.

4.2.6 Technical Studies and Application Processing

Completed applications for the generation and demand connection will be included in the wider application processing queue and processed in accordance with standard application processing timelines. Both the demand and the generation grid applications shall be studied in parallel.

Where required, agreement with Eirgrid shall be sought before an offer is issued to the customer. This is the standard process for larger demand and generation applications for connection to the distribution system.

The customer's impact on system stability shall be considered as part of the application assessment. Data centre customers shall therefore be required to provide details of the forecast demand behaviour of their facility including dynamic models, typical demand profiles and details of any equipment to be installed when available to identify and mitigate system stability issues.

4.3 Application Fees

A non-refundable "Pre-application Notification deposit" payable to ESB Networks on submission of the Pre-application Notification. The balance of the application fees associated with the data centre formal grid application is payable within one month of the batch closing deadline. Details of payable application fees are published on the generator application section of ESB Networks website.

4.4 Applications linked to approved Generation Projects

It is understood that data centre applicants may seek to engage with third party generators who have already started or completed the ECP process. In this case, data centres should contact ESB Networks as soon as possible to discuss the location of the data centre and the process for assessing the application. As part of the application customers shall submit the following:

- A completed demand (NC3) application form. The data centre applicant shall clearly state the nature of their business in the Business Details section and select 'Data Centre' as the customer type on the NC3 application form. If a data centre applicant does not stipulate that the application is for a data centre, and ESB Networks enters into a Connection Agreement on the basis that the customer's facility is not a data centre, then, ESB Networks shall be entitled to terminate any agreement that is subsequently executed on foot of that application.
- The MEC of the onsite or proximate dispatchable generation. The MEC shall be the de-rated dispatchable generation as per the technology and shall match the MIC requested, as detailed in the CRU decision.
- The data centre applicant shall have made a valid planning application to the relevant authority for the data centre site by the batch closing deadline.
- Evidence that the generator shall be capable of meeting the required performance and availability standards as any other equivalent unit in the system. As per the CRU decision, evidence shall be provided that the generator shall be made available to the system on an operational basis and should not be bound by limited run hours outside of agreed levels of routine necessary maintenance.
- Details of their credible plan to meet 80% renewables requirement. (See Section 7 of this document for further information on this requirement).
- Where the generation facility will be provided by a third party, the data centre shall provide a Director's declaration confirming that the dispatchable generation facilities identified as supporting the data centre application meet the requirements as set out in the CRU decision.

4.5 Definition of Proximate Generation

The CRU decision provides that the required dispatchable generation may be on-site or proximate. For the purposes of data centre applications, "Proximate Generation" shall be located at the same 110kV node as the data centre.

5. Multiple Demand Sites linked to a Single Generator

The CRU decision provides for the opportunity for multiple demand data centres to meet the onsite generation requirements with a single generation source. In this instance, the same process should be followed as set out above. The total required onsite or proximate generation should be calculated based on the total MIC requirements of all linked data centre applications.

6. Constrained Distribution Planning Zone Assessment

The assessment of constraint on the Distribution System for LEU demand connections is carried out to ensure compliance with the Distribution System Security and Planning Standards and to ensure operation and maintenance of a safe, secure and reliable electricity distribution system as required by the Distribution System Operator license.

6.1 Assessment Criteria

Note that each application shall be assessed separately and on a case-by-case basis.

The following criteria shall be used to assess whether a demand application is in a constrained distribution planning zone:

1. Whether there is firm capacity available at the voltage level where connection is requested.
2. Whether there is firm capacity available at any voltage level upstream including the connection point to the transmission system.
3. Whether an application reduces the available firm capacity at the voltage level where connection is requested, or any voltage level upstream including the connection point to the transmission system, to less than 20% of the available firm capacity for demand connections (i.e. an application that increases the load index of the substation to LI2 or above as defined in Load Indices).

6.2 Assessment Process

6.2.1 Step 1 Assess whether the Distribution Planning Zone is constrained

When an application is received, each high-voltage substation on the distribution system is assessed based on the criteria set out above.

The distribution system shall be assessed for constraint based on the 27 distribution planning zones as defined in the Distribution Network Development Plan. The available capacity for connection of LEUs at all high-voltage distribution substations connected to the transmission system in the same distribution planning zone is aggregated to establish whether the specific distribution planning zone is constrained or not.

If the Planning Zone is deemed to be constrained, then the application shall be deemed to be in a constrained planning zone.

6.2.2 Step 2 Assess whether the specific substation is constrained

If the Planning Zone is not constrained, then an assessment of the specific distribution substation where connection is requested is completed, based on the above criteria. If, following this assessment the connecting substation is deemed to be constrained, then an assessment will be carried out to establish if the load transfers between substations in the same planning zone can be undertaken to bring the connecting substation into compliance with the criteria and facilitate the connection.

If such transfers cannot be facilitated, then the application shall be deemed to be within a constrained planning zone.

6.3 New Capacity

Any new capacity that is added to the distribution system shall facilitate, in the first instance, offloading of the existing substations and creating adequate capacity (as defined in Load Indices) as to ensure compliance with in the distribution planning zone, before capacity is made available for the connection of LEUs.

6.4 Transmission Capacity Requirement

Any new connection shall be dependent on the available transmission system capacity at the connection point.

6.5 Other Considerations

There may be other technical considerations that need to be assessed in the analysis of the connection of the data centre, such as short-circuit levels at each substation, harmonics, etc. Additional requirements may be specified by the Transmission System Operator as per standard system operator agreement.

ESB Networks shall publish information on our website indicating which distribution planning zones of the country are deemed to be constrained under this definition and shall ensure that this information is updated annually.

7. Renewable Obligations and the 6-Year Glide Path

The CRU decision states that "data centres shall meet at least 80% of their annual demand with renewable electricity generated in the Republic of Ireland within a 6-year period from the date of the demand site's energisation".

7.1 Credible Plan

As part of the Connection Agreement application, data centre customers shall submit a credible plan that demonstrates how they intend to meet the required renewables obligation.

This plan shall include:

7.1.1 Demand Assumptions

- Estimated data centre consumption for each year of operation from the date of energisation
- Estimated annual data centre consumption for each year after the end of the 6-year glide path period
- Evidence to support these estimates

7.1.2 Evidence of Renewables Procurement / Provision

- Where the renewable project(s) used to meet requirements are to be connected to the Transmission System, the renewable generation shall
  - have an existing grid connection agreement, or
  - have a live offer, or
  - have an application in progress, or
  - apply to the ECP-GSS process.
- If the renewable project(s) used to meet requirements are to be connected to the Distribution System, the renewable generation shall
  - meet the criteria as set out above, or
  - the data centre customer may provide evidence of access to a suitable pipeline or portfolio of renewable projects that are currently in development and that will be delivered in the appropriate timeframe to meet the requirement of the CRU decision. This evidence could include for example a commercial agreement with a developer with a proven track record in delivering renewable projects or a director's declaration from the renewable developer confirming that they are developing projects to meet the data centre requirements.
- In all cases, the data centre developer shall provide details of the projects in terms of size, location, technology type and how they match 80% of estimated data centre consumption. This will include evidence relating to expected output of the renewable generation projects and other relevant information including assumed capacity factors and expected dispatch down.

For all renewable projects, evidence should be provided demonstrating that the projects are additional renewable projects located in the Republic of Ireland. It is expected that in submitting an application, the data centre developer will have made allowance for the possibility that some projects could be delayed.

Such evidence shall be supported by a Director's declaration confirming that to the best of their knowledge and belief (i) the information about the renewable project is accurate and complete and (ii) the project will [in all reasonable likelihood] be delivered within the timeframe and at the capacity required to meet the requirements of the CRU decision.

The details of the plan shall be incorporated as a specific condition within the data centre connection agreement, and the data centre shall be required to report on progress against this plan on an annual basis.

7.2 Annual Review of Plan

7.2.1 Within Glide Path Period

ESB Networks shall review the submitted material on the progress against the plan on an annual basis. ESB Networks may request further information if required.

If the customer does not submit this report each year or any additional information requested, ESB Networks reserves the right to terminate the connection agreement for the data centre.

The data centre customer may apply to ESB Networks during the 6-year glide path period to reduce their MIC if it is evident that they will not be in a position to meet the required renewables obligation at the end of the 6-year period. The customer shall be liable for any stranded costs that ESB Networks may have incurred in delivering their demand connection.

7.2.2 The End of the Glide Path Period

The glide path period begins on the date of the energisation of the data centre. The obligation in the decision is to meet the minimum 80% renewable energy generation by the end of the 6-year glide path. Therefore, at the end of the seventh year, the customer shall be required to provide a report showing:

- Actual demand for the 7th year of operation of the data centre
- Actual renewable generation and / or appropriate evidence of renewable generation produced under nominated CPPAs that meet the criteria set out in the CRU decision for the equivalent period

On the basis of the evidence, ESB Networks shall confirm whether the 80% obligation has been met and confirm this to the customer accordingly.

If the 80% obligation has not been met, ESB Networks shall have the right to immediately reduce the customers MIC to the level that would have been supported by the actual renewables delivered by the data centre in the preceding year, in which case the revised MIC will be the new permanent MIC for the customer's connection, and the connection agreement shall be amended accordingly.

The customer shall be liable for any stranded costs that ESB Networks may have incurred in delivering the demand connection.

7.2.3 Opportunity for Cure

If the data centre customer fails to meet the 80% renewables obligation, and where ESB Networks has exercised its right to reduce MIC, the data centre customer may submit evidence to ESB Networks indicating when the required renewables or generation contracted under relevant CPPAs will be delivered. ESB Networks shall consider this evidence on a case-by-case basis. ESB Networks shall consider amongst other factors, the cause of the delay, works completed to date, the timing of when ESB Networks reasonably expects that the renewables will become available and any potential impact to other customers. Based on this assessment, ESB Networks may agree to increase the MIC when satisfied that the appropriate level of renewables has been delivered; however, this shall be on an exceptional basis only.

Where this is permitted, the customer will not be required to pay any new connection fees but shall be liable for any administrative or operational costs incurred to facilitate the MIC increase.

7.2.4 Subsequent years

Customers shall continue to provide evidence each year that they continue to meet the 80% renewable obligation target (or other target if directed by the CRU).

If the 80% obligation has not been met, ESB Networks shall reduce the customers MIC to the level that would have been supported by the actual renewables delivered by the data centre in the preceding year. This shall be the new permanent MIC for the customer's connection, and the connection agreement shall be adjusted accordingly.

8. Connection Offer

8.1 Offer Issuance and Acceptance

Following the assessment of the data centre application against all of the criteria from the Decision as set out above, completion of the appropriate planning studies and the execution of any agreements required with Eirgrid, as appropriate, a connection offer will be made to the customer. The customer shall have 90 days to accept and pay the capital contribution for the data centre application.

If ESB Networks decides that an offer cannot be made based on the application of the criteria in the CRU decision as per the preceding sections, the application for the data centre shall not be processed further and shall be terminated. The customer shall be advised of this decision and given reasons for the decision as soon as possible.

For all data centre applications >1 MVA, the Demand Offer may not be accepted in advance of the Generator Offer.

The customer has the option of continuing with the generation application where the data centre application is refused. The customer's generation application shall be processed in accordance with the ECP-GSS policy decision.

8.2 Post Offer Requirements

In accordance with the CRU decision, data centre customers will be required to ensure compliance with all aspects of the decision for the duration of the data centre connections including maintaining the required level of renewables procurement, maintaining the minimum expected performance and availability requirements of the generation facilities as set out in the connection agreement; and fulfilling all emissions reporting obligations.

9. Rejected Applications

Where an application from a data centre is refused, the customer shall be notified of the reasons for the refusal and, where appropriate, the works that would be required to allow an offer to be issued.

Where a data centre application is refused, the associated generation application can continue to be progressed unless the developer decides to withdraw the application.

Where the application for a data centre has been rejected, the applicant shall be prohibited from submitting another application at the same location for a period of 6 months. The applicant should notify ESB Networks if it intends to continue to seek connection of the generator associated with the refused data centre application.

10. Conclusion

ESB Networks is committed to supporting earlier customer engagement for data centre applicants in advance of projects submitting a grid connection application. It is strongly recommended that customers avail of this early engagement facility as this helps to reduce the number of follow up queries that may arise during application process.

As per the actions outlined in the CRU decision, ESB Networks has proposed the Pre-Application Notification (PAN) Engagement Process and review for projects seeking to make a formal grid application as part of the ECP-GSS process.

ESB Networks is available to provide support and further clarification on any aspect of our proposal. We look forward to continuing collaborating closely with the CRU and other stakeholders to implement this essential policy.



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