

An Bord Pleanála
64 Marlborough Street
Dublin 1

Private and Confidential

Our ref
658476-46

23 May 2025

Dear Sir / Madam

RE: ABP-318180-23 – Request under Section 132 of the Planning and Development Act 2000 (as amended)

Our client: Universal Developers LLC

We refer to above matter and the request issued by An Bord Pleanála (the “**Board**”) dated 2 May 2025 to our client under section 132 of the Planning and Development Act, 2000 (as amended).

The Board has sought “*a copy of the agreement with the Transmission System Operator that clearly demonstrates that [Universal Developers LLC] have a fixed connection agreement with the Transmission System Operator to connect the specific data centre buildings the subject of this appeal (i.e., Buildings E, F and G) to the grid*”.

On 17 June 2017, Amazon Data Services Ireland Limited (“**ADSIL**”) entered into a Transmission Connection Agreement with EirGrid plc (the “**Original Connection Agreement**”) for connection of a facility with a Maximum Import Capacity of 240 MVA at Cruiserath, Dublin 15 (the “**Facility**”).

The Original Connection Agreement was amended a number of times, and on 14 February 2025, ADSIL and EirGrid plc entered into a modified Transmission Connection Agreement reflect such amendments (the “**Connection Agreement**”). The effective date of the Connection Agreement is 17 June 2017, and the Connection Agreement supersedes and replaces the Original Connection Agreement in its entirety.

For the avoidance of any doubt, the Maximum Import Capacity of the Connection Agreement remains 240 MVA as per the position in 2017.

We have been provided with a copy of the Connection Agreement. We have also been provided with confirmation from in-house legal counsel that Universal Developers LLC is part of the same company group as ADSIL, and that the Connection Agreement will be used for the purposes of connecting the specific data centre buildings (the subject of this appeal) to the grid.

The Connection Agreement contains certain confidential and commercially sensitive information and as such our client is not at liberty to provide a full unredacted copy of the Connection Agreement to the Board. We have therefore been asked by our client to provide this letter in order to verify a copy of the Connection Agreement. For this purpose, we have been provided with a full unredacted copy of the Connection Agreement.

We verify that the Connection Agreement was executed on 14 February 2025 and its terms are effective and binding on EirGrid plc and ADSIL as and from 17 June 2017, such that EirGrid plc is legally obliged to connect the Facility to the Transmission System, subject to the terms of the Connection Agreement.

We have also been provided with the redacted copy of the Connection Agreement to be submitted to the Board in response to this request and we verify that the redacted document is a true copy of the original.

Yours sincerely

Sent by email, bears no signature

MATHESON LLP