

File With \_\_\_\_\_

**SECTION 131 FORM**

Appeal NO: ABP 318180

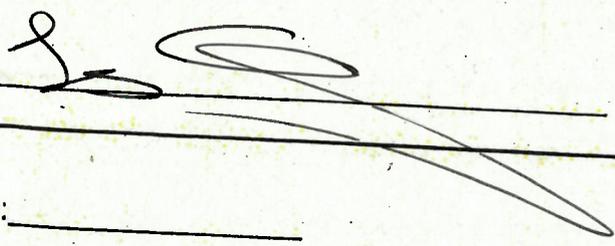
TO: SEO

Defer Re O/H

Having considered the contents of the submission dated/ received 15/7/28  
from

Colin Doyle I recommend that section 131 of the Planning and Development Act, 2000

/not be invoked at this stage for the following reason(s): no w leave

E.O.: 

Date: 30/7/28

To EO: \_\_\_\_\_

Section 131 not to be invoked at this stage.

Section 131 to be invoked – allow 2/4 weeks for reply.

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached  
submission

to: \_\_\_\_\_

Allow 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**

Appeal No: ABP 318180

M \_\_\_\_\_

Please treat correspondence received on 15/7 as follows:

1. Update database with new agent for Applicant/Appellant \_\_\_\_\_

2. Acknowledge with BP 23

3. Keep copy of Board's Letter

1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope:

3. Keep Copy of Boards Letter

Amendments/Comments

S13) Rep

L10 21/7

4. Attach to file

(a) R/S

(d) Screening

(b) GIS Processing

(e) Inspectorate

(c) Processing

RETURN TO EO

Plans Date Stamped

Date Stamped Filled in

EO: [Signature]

AA: [Signature]

Date: 18/7/25

Date: 21/7/25

Observations of Colin Doyle 14<sup>th</sup> July 2025 on Applicant's Response 318180

The Secretary  
An Coimisiún Pleanála  
64 Marlborough Street  
Dublin 1

AN COIMISIÚN PLEANÁLA	
LDG-	_____
ACP-	_____
15 JUL 2025	
Fee: €	_____ Type: _____
Time: 10.07	By: Reg Best

Colin Doyle  
12 Cottage Gardens  
Ennis  
Co. Clare  
14th July 2025

Ref: 318180

**Universal Developers LLC data centre at Cruiserath Road, Dublin 15**

A Chara,

I appreciate the opportunity provided by the Commission to submit observations on the response (the "Response") by Universal developers LLC (the "Applicant") to the request for further information. I have set out my concerns on this data centre development in my previous submissions, and will not repeat or expand upon these points, other than in the context of the claims made in the "Response".

The Response addresses the questions posed regarding CAP 25 and the EPA GHG projections (May 2024). The Response has augmented the analysis to include the CCAC Annual Review (April 2025), the latest EPA GHG projections (May 2025), and an analysis by MaREI (September 2024). Since submission of the Response the EPA has published its provisional GHG emissions report which includes emissions data for 2024, and I believe it is appropriate that this latest data should be considered. There is general consistency between the data and projections in all of the foregoing documents, from which reasoned conclusions can be reached on the trend in national and sectoral emissions, and on the prospects for achieving the national transition objective and the sectoral targets specified in CAP 25.

My main observation on the Response is that it paints an irrationally optimistic and quite misleading impression of progress to national targets. It does this by selective quotations from the documents referenced. While some welcome decarbonisation progress has been made in recent years, and the projected exceedances in the first carbon budgetary period (CB1) will be less than feared a few years ago, the outlook into the second carbon budgetary period (CB2) is extremely concerning.

## Prospects of Achieving Climate Action Plan (CAP) targets

1. In considering the claims in the Response, which involve intricate and highly detailed repetitive arguments and data, one should bear in mind the following clear statements by national bodies with responsibility for monitoring the state's progress on climate action:

### **EPA : Ireland's Provisional Greenhouse Gas Emissions 1990-2024, July 2025**

"Provisional estimates of national greenhouse gas emissions (including LULUCF) in 2024 are 12.0% below 2018, well off the National Climate objective of a 51% reduction by 2030."

(Key Findings, p. 3)

"Annual emissions reductions of 15%, 34%, 34%, and 16% are required in 2025 for the Electricity, Industry, Transport and Buildings (Commercial and Public) sectors to achieve respective Sectoral Emissions Ceilings (SEC)."

(Key Findings, p.3, emphasis added)

### **EPA : Ireland's Greenhouse Gas Emissions Projections, May 2025**

"Ireland is not on track to meet the 51 per cent emissions reduction target (by 2030 compared to 2018) which include many 2024 Climate Action Plan measures. Greenhouse gas emissions are projected to be 9 to 23 per cent lower by 2030 (compared to 2018) which places Ireland further from the 2030 national climate target compared to previous assessments." (Key Findings, p.2)

"Budget period 1 (2021-2025) of 295 Mt CO<sub>2</sub>eq is projected to be exceeded by between 8 to 12 Mt CO<sub>2</sub>eq. Budget period 2 (2026-2030) of 200 Mt CO<sub>2</sub>eq is also expected to be exceeded by a significant margin of 77 to 114 Mt CO<sub>2</sub>eq (with carryover from Budget period 1)." (Key Findings, p. 2)

"Sectoral emissions ceilings for 2030 are projected to be exceeded by the Buildings, Electricity, Industry and Transport sectors; and met by the sector 'Other'." (Key Findings, p.2, emphasis added)

### **CCAC : Annual Review – Electricity, April 2025**

"Emissions are currently projected to exceed the sectoral emissions ceiling, even in the most optimistic scenario." (Key Observations, p. iv)

### **EPA : Ireland's Greenhouse Gas Emissions Projections, May 2024**

"Ireland is not on track to meet the 51 per cent emissions reduction target (by 2030 compared to 2018) based on these projections which include most 2024 Climate Action Plan measures."

“The first two carbon budgets (2021-2030), which aim to support achievement of the 51 per cent emissions reduction goal, are projected to be exceeded by a significant margin of between 17 and 27 per cent.”

“Sectoral emissions ceilings for 2025 and 2030 are projected to be exceeded in almost all cases, including Agriculture, Electricity, Industry and Transport.” (Key Findings, p. 3, emphasis added)

2. The above authoritative statements provide convincing evidence that on current data and trends that the CAP targets for 2030 will not be achieved. This is a relevant consideration in assessing the climate impact of a large new electrical load connected to the grid. It cannot be assumed that its impact would in some way be mitigated by a CAP which is unlikely to achieve its targets.

#### **Caution in Interpreting Reductions in Emissions from Electricity Sector.**

3. In its request for information on 2<sup>nd</sup> May 2025, the Board referred to a statement in CAP 25 which indicated “significant improvements on the projected overshoots” for the Electricity Sector, compared with those set out in CAP 24. As is discussed in the Response these improvements were mainly due to an anomalous interconnector trading situation which has resulted in very high levels of net electricity importation from the UK over the past three years, which are not accounted for in Ireland's GHG emissions inventory. The associated emissions are accounted for in the UK.
4. While the accounted reductions in the Electricity Sector will assist in the short-term in reaching sectoral emissions ceiling targets, these reductions are purely adventitious, and there is a substantial risk of a rebound in emissions if the net importation ceases, which may be the case when the proposed EU carbon border adjustment mechanism is implemented. Furthermore with the planned return of the UK to the EU ETS, the carbon price differential between the UK and Ireland, which drives the net importation, will disappear.
5. As quantified in the EPA provisional GHG Emissions report July 2025, if the net importation of electricity were to be replaced by indigenous power generation, there would be an increase of 1.5 Mt/year in GHG emissions from the Electricity sector (section 4.3 of the EPA report). This explains most of the apparent improvement between CAP 24 and CAP 25.
6. It is evident that if the rebound occurs in the second carbon budget period, that there could be a sudden increase of 1.5 Mt/year in GHG emissions, which over the five year budgetary period would amount to an additional budget exceedance of 7.5Mt GHG. In conclusion there is no cause for any complacency based on the revised projections between 2024 and 2025, as the evolution of emissions in the sector in terms of import quantities is outside of state control.

### Comments on the Claim of no Impact Based on Pre-existing Connection Agreement

7. The argument repeated and expanded upon in the Response is that since the site had a connection agreement for 240 MVA <sup>1</sup>since 2017, that this was factored into Eirgrid's projections, and consequently was incorporated in the national CAP. Superficially this claim may appear to have merit. There are however a number of major factors which call into question whether this is the case.
8. There would be some basis to the claim if the state were comfortably on track to achieve its 2030 targets for GHG emissions and renewable electricity. In the present situation where we are significantly behind trajectories to these targets it cannot be assumed that a new load was in some unspecified manner provided for in the CAP and would have no GHG impact.
9. Nor could it be reasonably claimed that any such potential impact should be ignored on the basis that the developer had been promised a connection 8 years previously. The existence and honouring of a commercial contract, or legitimate expectations, could not take precedence over avoidance of a climate impact.
10. Eirgrid projections for data centre power consumption covered three growth scenarios all of which were less than the maximum total demand of existing contracts:

Growth Scenario	Demand in 2032 MVA
Low	1038
Median	1543
High	2010
(Maximum Contracted	2300 nationally)
11. The national CAPs incorporated the Eirgrid median projections, and consequently there was no provision in the CAPs for all the existing contract holders to ramp up demand to the maximum import capacity. Therefore no individual data centre operator could validly claim that demand could be ramped up towards the maximum contracted capacity without causing a climate impact.
12. To further complicate matters, the Eirgrid projections were based on existing contracts only, with no provision to allow for connection of new data centres which obtained planning consent from 2023 to the present.
13. If the Commission accepts the claim that all data centre developers which hold pre-2023 grid connection contracts are automatically aligned with the CAP, then the

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<sup>1</sup> This submission refers to power in units of MVA and MW. For the purposes of the arguments presented, they can be taken to be approximately equal. MW would be only marginally lower than MVA

corollary holds that any new applications for data centres without existing connection contracts would be inconsistent with the CAP.

14. There is no evidence that climate impact was a consideration by Eirgrid in granting connection contracts to data centre operators prior to 2023. While Eirgrid is most probably a relevant body in the context of Section 15, it is apparent from public comments that it does not consider climate impacts associated with its decisions <sup>2</sup>, and that calculation of carbon emissions would be a matter for the SEAI.
15. More surprisingly, as confirmed recently <sup>3</sup>, neither does the CRU consider that it has any legal powers to set GHG limits for new Large Energy User (LEU) connections, and on this basis has proposed an LEU connection policy which would require that new LEUs would have to provide matching power generation on-site, or adjacent to the site. This would inevitably have to rely on fossil fuels.
16. There are references in the Applicant's Response to the requirement for GHG permits by the Proposed Development and by electricity generator operating within the ETS. It should be noted that the EPA does not have any power when issuing a GHG permit to set limits on GHG emissions to ensure compliance with national decarbonisation targets.
17. Appealing to the existence of a connection agreement with Eirgrid or to compliance with CRU connection criteria, or to possession of a GHG permit therefore does not imply that climate impact has been considered or is acceptable.
18. That leaves the responsibility totally on the Commission to ensure that any consented projects are consistent with the current CAP and do not result in a climate impact when connected to the national grid, or when powered by on-site generation.

#### **Identified Climate Impact**

19. Table 9.13 in Appendix 5 (Addendum to EIAR) presents emissions data for the Proposed data centre, and for the Overall Project. Both the Proposed Development and the Overall Project are identified in the fourth column of the table as having a "Moderate Adverse" climate impact.
20. Emissions in 2030 from the Proposed Development are stated to be 2.9% of the indicative emissions ceiling, and as high as 8.8% of the ceiling for the Overall Project. In other words, less than 40 new data centres of similar size to the Proposed Development could account for 100% of the emissions ceiling in 2030. Less than 12

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<sup>2</sup> Joint Committee on Environment and Climate Action debate -Tuesday, 30 Jan 2024 – Evidence of Mark Foley, Eirgrid, available at <https://bit.ly/49KG0si>

<sup>3</sup> Large Energy Users connection policy, Proposed Decision Paper CRU/202504. CRU 18<sup>th</sup> February 2025

data centres of similar size to the Overall Project would account for 100% of the emissions ceiling.

21. I note that in page 9.45 of Appendix 5 the impact of the Overall Project is given in terms of a percentage of the overall national carbon budget for CB2, rather than in terms of the percentage of the sectoral budget. Thus the impact is misleadingly presented as being a small percentage, 0.78% of the total CB2 (200 Mt GHG), rather than the 8.2% of the much smaller legally binding Electricity sector budget (20 Mt GHG).
22. Emissions of GHG could in reality be significantly higher than presented in Appendix 5. The fourth column header is titled "Significance (Prior to mitigation)". This is misleading, as a mitigation assumption of 68.3% renewable electricity share is assumed in the calculated GHG emissions. The WAM scenario is based on the most optimistic projections which assumes that planned measures that have not yet been implemented will be successful. If WAM assumptions do not materialise, emissions would be significantly higher.
23. The fifth column in Table 9.13 is titled "Significance After mitigation". As mentioned above, there was already significant mitigation incorporated into the calculation of GHG emissions. For a data centre designed and constructed in accordance with best practice there is in fact no realistic prospect for additional technical mitigation measures. The sweeping claim that the impact reduces from "Moderate adverse" to "Minor adverse" is based wholly on the unfounded belief that a CPPA would act as an offset for the emissions.
24. SEAI energy projections <sup>4</sup>published in 2024 present a quantitative assessment of the risk of underachievement of renewables targets. The report concludes:

"Combining the risk of delays in onshore and offshore installed capacity, Figure 17 shows the potential for a shortfall from the national RES-E 2030 target of as much as 24 percentage points, with the 80% target not being reached until 2039." (p. 31, emphasis added)
25. A shortfall of 24 percentage points would mean a renewable electricity share of just 56% in 2030. I ask the Commission to note that the GHG estimates provided in Appendix 5 are very much on the optimistic side, and do not represent the "a reasonably foreseeable worst case scenario", which the Commission requested the applicant to provide.

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<sup>4</sup> National Energy Projections 2024, SEAI November 2024

## Mitigation Claims

26. Numerous mitigation measures are repeatedly listed in Appendix 5, which mainly deal with design aspects of the proposed development in terms of energy efficiency, which presumably were incorporated in the calculation of power demand and resultant indirect GHG emissions. Repeated mention of the risible solar PVs with a rating of 85.5KWp which would contribute all of 0.01% to the power demands demonstrates a concerning lack of reality.
27. District heating makes an appearance in the list, along with a letter offering to look into the feasibility of this. In my previous submissions I presented arguments which show that district heating is not a viable mitigation. It is relevant to note that the Tallaght district heating scheme probably saves less than 2000 t GHG per year.
28. The only actual mitigation proposed to offset the GHG emission is CPPA for renewable electricity. My previous submissions dealt with CPPA in detail showing that it was not a credible mitigation, and I will not go over that ground again, other than to highlight two important points:
29. Firstly, it is worth emphasising that the applicant provided the wording for the CPPA condition to Fingal Co Co, and that the applicant continues to refuse to use the word "additional" in conjunction with CPPA. It is consistently described as a CPPA for "new" renewables, which is not the same as "additional". Under the proposed CPPA condition there is considerable flexibility available to the Applicant to enter into a CPPA for a "new" renewable electricity supply which would have happened anyway, i.e. not additional.
30. Secondly in my earlier submissions I argued, supported by evidence, that where renewable electricity supply is falling behind the growth in electricity demand, that it would not be possible to claim that a CPPA was a mitigation. Published data and evidence since my earlier submissions support this argument.
31. In its provisional GHG emissions report published in July 2025 the EPA confirms that despite increases in renewable electricity supply, that the percentage share has reduced due to increased electricity demand:

"Electricity supply from renewables grew by 1.3% in 2024 but, due to increased demand, the share in renewable energy generation decreased slightly from 40.7% in 2023 to 39.6% in 2024. "
32. Based on data from the SEAI National Energy Balance published in 2025<sup>5</sup> and CSO metered data centre energy consumption, it can be seen from the graph further down that growth in renewable electricity energy supply since 2015 has been almost equally matched by the growth in data centre energy consumption. This has resulted

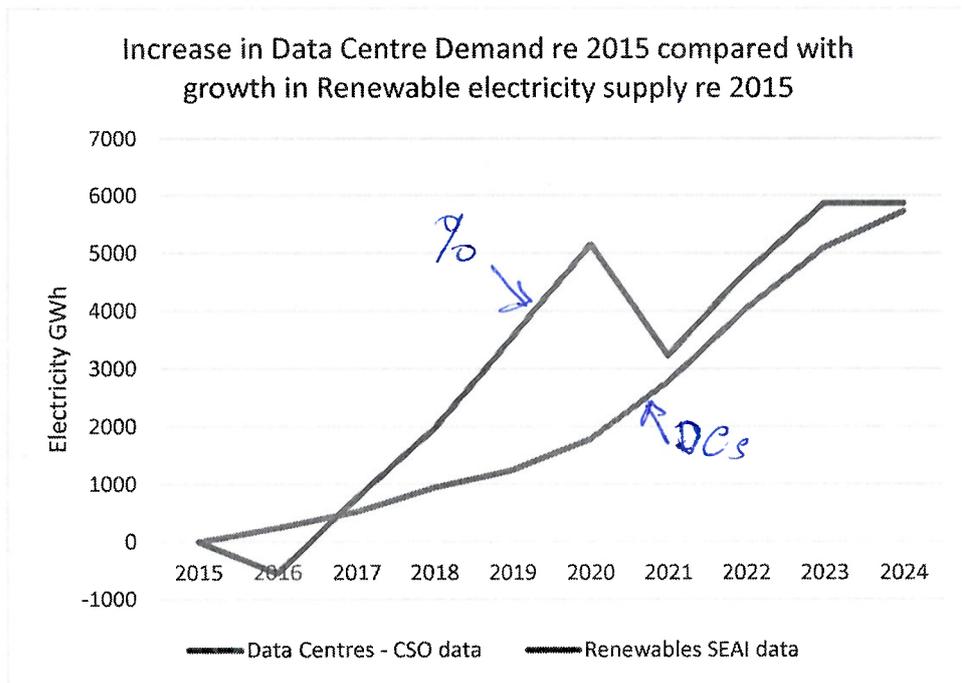
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<sup>5</sup> National Energy Balance Interim for 2024, SEAI 21<sup>st</sup> May 2025

in the percentage of renewable electricity on the grid stalling at around 40% for the past four years, as shown in the table below.

Year	2020	2021	2022	2023	2024
%RES-E	39.1	37.7	37.3	40.4	39.6

(SEAI data to 2023, EPA data for 2024)



33. The SEAI describes the current situation accurately:

“In the context of our legally binding national and international climate and energy obligations, the negative consequences versus the benefits of allowing new large electricity users, such as datacentres, to establish in Ireland needs to be considered. If the scale and pace of renewable energy growth cannot exceed that of electricity demand, as was the case in 2023, then renewables are just abating further increases in emissions rather than delivering the absolute reductions in greenhouse gas emissions required.”<sup>6</sup>

34. The CCAC in its Annual Review has also recently expressed concern at the very slow pace at which renewable electricity is entering the grid:

“While 1.6 GW of onshore wind (0.7 GW)[3] and solar (ca 0.9 GW)[4] renewable projects received planning permission during 2024, only an

<sup>6</sup> National Energy Projections 2024, SEAI, November 2024

additional 0.5 GW (0.2 GW onshore wind and 0.3 GW solar) of new utility-scale renewable capacity was connected,[5] which is significantly below the 1.8 GW annual average increase in capacity that is required to meet 2030 targets." CCAC Annual Review – Electricity , 28<sup>th</sup> April 2025, Key Observations, p. 7)

35. From the evidence available from authoritative state bodies one could reasonably conclude that the state is not on a trajectory to meeting its renewable electricity target for 2030, or that there could be any possibility that there is spare renewables capacity available that could be claimed as an offset by the applicant through a CPPA.

#### **Appendix 7 - Section 15 Considerations**

36. In Appendix 7 of the Response JSA/AWN address Section 15 compliance. As I said in a previous submission this is a matter for the Commission, which is the relevant body, and not the developer. I will therefore not make observations on this lengthy document other than to focus on the one key issue. This is the claim that there would be no climate impact because there is an extant electricity contract which was allowed for in the CAP, and that a CPPA would offset any emissions (Appendix 7, Table 1, first row).
37. This claim is demonstrably false. The Response has acknowledged that there is a projected overshoot of the carbon budget for the Electricity sector in CB2, which includes the contribution of data centres with extant connection contracts. According to the Applicant's logic this overshoot would also include the new data centre's 73 MW load which they claim was accounted for in the CAP, and any renewables which the EPA projected to be achievable by 2030.
38. Indirect GHG emissions due to the new data centre could not be offset by means of a CPPA, as the EPA (May 2025) projections assume that all renewable projects for which there is a realistic implementation pathway are operational in CB2. The renewables projects which could be implemented by 2030 would include all existing consented projects which are not yet operational, plus whatever projects are in the planning system at present.
39. The only CPPA which would be available to the operator of the data centre would be either a renewables development which already has planning consent but is not yet operational, or a project which is at an advanced stage in the planning system with a realistic chance of being operational by 2030. All of these new renewables have already been allowed for by the EPA. Claiming an offset for such a CPPA is invalid, as the GHG benefit has already been allowed for in the EPA projections. It would amount to double counting of the GHG reduction.
40. For a data centre which plans to be operational prior to 2030, the only realistic option for a CPPA would be for projects which already have planning consent, and

which have a grid connection agreement. These projects are awaiting access to the electricity market under the RESS auctions, or through CPPA. As all such projects are already in the national renewables development pipeline they are already included in EPA projections, and entering into such a CPPA for a new data centre load could not offset additional GHG emissions.

### **Misleading Aspects of EIAR – Selective Quotations and Presentation of Data**

41. Appendix 4 of the Response provides a summary, which is based on a more detailed consideration in Appendix 5. To avoid repetition I have confined my observations and comments to Appendix 5. The points noted below are in the order in which they appear in Appendix 5, and consequently are not gathered together into common themes. Each comment below is identified by the page number in Appendix 5.

42. **p. 9-5** At the top of this page reference is made to the EPA projections in 2024 predicting 80% renewables by 2030, which was reduced in the EPA projections in 2025 predicting 68.3% renewables by 2030 under WAM. It is important to note that the EPA was not predicting these percentage renewables, but was stating that their projections were based on an assumption that these percentages would be achieved.

43. **p. 9-13** at the end of this page appears the following:

“.. it is likely that 2025 will have emissions of similar (or lower) magnitude to 2024 and thus it is likely that the first electricity sectoral budget period (2021-2025) will be approximately 99% of the budget and thus in compliance”

The reference given for the above analysis was the CCAB 2025 Review -Electricity. The CCAB Review does not conclude that there will be compliance in CB1. It states that in the first four years of CB1 that 83.6% of the sectoral emissions had been used, and regarding 2030 it says:

“Emissions are currently projected to exceed the sectoral emissions ceiling, even in the most optimistic scenario.”

44. **p. 9-14** Referring to the analysis on page 9.13 it is stated:

“This analysis has recently been supported by work undertaken by MaREI at the University of Cork in terms of both sectoral emissions and the first carbon budget” (emphasis added)

The MaREI work (a two page summary and analysis of emissions data) was prepared in September 2024 prior to the CCAC 2025 report. The quotation from the MaREI analysis represented a snapshot in time in September 2024 indicating that it was possible to achieve the CB1 target. The Response however omitted the important

caveat in the MaREI analysis that to achieve the national budget for CB1 an 8.25% reduction in national emissions would be required in both 2024 and in 2025, and to achieve the Electricity sectoral budget would require a 10% reduction in emissions in both 2024 and 2025.

The EPA GHG projections (2025) are then correctly referenced along with its prediction that the first carbon budget will be unlikely to be complied with. However the Response dismisses this EPA projection on the basis of the two page MaREI analysis from 2024 because:

"The MaREI (Sept 202 ) report takes into account more recent 2024 data and this may be more presentative of current projections" (emphasis added)

The above statement is untrue. The MaREI analysis was in fact based on data up to 2023, as were the EPA (2025) projections.

45. Table 9.3 on the same page includes the reference "SEAI, 2023". I have been unable to locate any SEAI report from 2023 which includes this table.

46. **p. 9-16** At the end of this page reference is made to the IEMA guidelines which recommend "use of a reasonably worst-case scenario rather than an absolute worst-case scenario". The GHG analysis presented in the response is based on the WAM scenario which is described by the EPA as being "more ambitious" than the WEM scenario. This would suggest that the GHG emissions calculations should have been carried out under the WEM scenario.

47. **p. 9-23** In section 9.3.1.2 reference is initially made to the EPA GHG projections (2025), with an ensuing text which the reader would naturally assume is also based on the EPA report. In the middle of this text is the following:

48. "While emissions are projected to decrease in these areas, emissions from agriculture are projected to grow steadily due to an increase in animal numbers"

The above statement is completely untrue (agricultural emissions are slowly declining), and did not emanate from the referenced EPA report. The Proposed Development has of course no link with agriculture, and I give this example only as an indication of the unreliable nature of the statements in Appendix 5.

49. **p. 9-24** Midway down this page is quite a garbled statement, which again refers to the MaREI analysis (2024):

"A report from MaREI (MaREI, Sept 2024) states that the recently published Climate Change Advisory Board Annual Review 2025: Electricity (CCAB, 2025), based on the EPA's 2023 data combined with .....

The MaREI analysis pre-dated the CCAB Review, so the above statement is nonsense. The narrative goes on to repeat the quote from the MaREI analysis, without stating the important caveats mentioned earlier.

50. **9-25** There is a selective quotation from the EPA (2025) GHG projections, stating that “the sectoral ceilings likely to be achieved in the first budget period (2021-25) are in the Electricity, Buildings, and ‘Other’ sectors”.

This is not as good news as it may seem, as this outcome relies on significant electricity imports, which are outside of national control. Moreover it is not relevant as the proposed Development will not be operating in CB1. The same EPA report goes on to say:

“For the second budget period (2026-2030) the Sectoral Ceiling projected to be achieved is for the ‘Other’ sector only.”

Which indicates that the ceiling will not be achieved in the Electricity Sector.

51. **9-34** The Permitted Development is stated to have a power consumption of 110.6 MW. This is over 23 MW higher than the 87 MW stated in the John Spain Associates (JSA) Response p. 5. No explanation is provided.

52. **9-34** At this stage the Response moves into the realm of hubris and an alternative reality where Amazon:

“is on a path to powering its operations by 100% renewable energy by 2025, ...”

And while the target was for 2025, somewhat incongruously it claims that this target has already been achieved:

“All of the electricity consumed by Amazon’s operations, including its data centres, was matched with 100% renewable energy in 2023 ..”

Appendix 5 goes on to repeat these claims a number of times.

A reality check is called for here. The maximum that Amazon could conceivably claim regarding renewable energy operation in Ireland is around 40%, just as is the case for the rest of Irish electricity consumers.

53. **9-35** Table 9 shows the calculated emissions for the existing Permitted Development, but does not calculate the consumption of the CB2 sectoral budget. Adding the emissions from 2026 to 2030 gives a figure of 824,171 t GHG, which would be 4.1% of the 20Mt sectoral budget. To appreciate the scale of these emissions, just 24 similar sized data centres would account for the total sectoral budget in CB2.

54. **9-39** It is reassuring to read that Cruiserath is not likely to suffer from flooding, extreme wind, wildfires, landslides, or extreme temperatures due to climate change,

which in part will be caused by Amazon activities. Missing from this analysis is any consideration of future water consumption, which must inevitably increase as the frequency of heat waves increases.

55. **9-45** Table 9.11 presents calculated emissions from the Proposed Development. In assessing the impact it is given as a percentage of the total national carbon budget for CB2, which makes the impact look small at 0.78%. The total emissions would be 544,728 t GHG, which would represent 2.7% of the sectoral budget for CB2. The total sectoral budget would be consumed by less than 40 similar sized data centres or LEUs. Adding the emissions to the existing permitted development would bring the total to 6.8% of the budget. Just 15 similar sized development would consume the entire sectoral budget for CB2.
56. **9-46** Table 9.12 presents emissions for the Overall Project, which is stated to have a power requirement of 219.7 MW, which is heading towards the claimed maximum permitted import capacity of 240 MVA. GHG emissions during CB2 would be over 1.6 million tonnes GHG, which would be 8.2% of the sectoral budget, i.e. just 12 similar data centres would account for the entire sectoral budget.
57. **9-52** Here we read that "Should net zero not be achieved in 2050 ..." that Amazon will continue with CPPA until net zero is achieved, and that the Amazon climate impact will remain minor adverse, non-significant. The Applicant is asking the Commission to accept that even if national decarbonisation plans are not successful, that somehow Amazon will still be net zero, and perhaps the only net zero operation in the country, all thanks to CPPA.

58. **9.54** The following statement is made:

"Firstly, the indirect electricity emissions and the direct emissions from backup generators will both require greenhouse gas permits under the ETS in order to operate and thus the GHG emissions associated with the Proposed Development and Overall Project will be in line with Section 13.3.5 of the CAP25 which stresses the importance of the EU ETS in reducing industry GHG emissions." (Appendix 5, p. 9.54, emphasis added)

A section numbered 13.3.5 appears neither in CAP 25 nor CAP 24. As I discussed in previous submissions there is no mechanism in the ETS to force an individual operator to reduce emissions.

#### **Final Comment on CPPA**

59. What the Applicant is attempting to do with the proposed CPPA is merely an accounting transfer of either existing renewable electricity, or soon to be operational (new) renewable electricity, to Amazon. There would be no creation of "additional" renewables beyond those already factored into national plans and projections. The benefit of this deception for the Applicant is creating an image of an environmentally conscious business. It is a good example of greenwashing. The tangible benefit for

the Applicant would be guaranteed long-term lower electricity prices, free of any link with fossil fuel prices, free of carbon pricing, and exempt from Electricity tax. The avoided costs would be passed on to the general electricity consumers.

### **Proof of the Connection Agreement for 250 MVA**

60. It is hard to find words to describe the documents submitted as "proof" of the claimed connection agreement, given that most of the copy of the contract has been redacted and that the bulk of the unredacted pages appear to be from a contract template with no data entered, and the few signature pages have the date redacted. "Kafkaesque" is probably the best description.
61. It is unacceptable that the Commission was not provided with the unredacted contract. A degree of redaction of commercially or financially sensitive information would have been understandable in the publicly available version. However the scale of redaction is so extensive that it is not credible that all of the completely redacted details in over forty pages of contract could have been so sensitive.
62. Based on the few pages where I can read any useful information I am still of the view that the Applicant did not have a contract for supply of 73.1 MW to the proposed Development until 2025. This is based on the following:
63. The degree of redaction suggests to me that important details may have been deliberately withheld. Or perhaps a more innocent explanation could be that the details are considered so arcane that the ordinary public (and the Commission) would be unable fully understand the subtleties and could erroneously reach a conclusion that did not agree with the Applicant's claims.
64. Eirgrid document page 20: this is a redacted letter from Eirgrid to the applicant dated 22<sup>nd</sup> July 2024 acknowledging Amazon Data Services' application for modification of a connection agreement. If there was already a connection agreement in place which covered the proposed Development why was there a need for an application to modify the agreement?
65. The proposed development had received planning consent in September 2023. I had raised my doubts on the claimed connection agreement in my submission of November 6<sup>th</sup> 2023 and subsequently in my submission of 27<sup>th</sup> May 2024. It appears that the applicant made the application to Eirgrid in 2024 sometime after my doubts were first raised, and possibly even after my subsequent submission in May 2024.

66. Eirgrid document page 4: on this page it is confirmed that a transmission connection agreement was made on 14<sup>th</sup> February 2025. In the absence of any visible contradictory details, I interpret this as confirming that the Applicant did not have agreement for supply of the required 73.1 MW until this date.

67. While my interpretation above is of necessity speculative, it is not inconsistent with the statements in the letters from Matheson LLP solicitors and from Eirgrid, which are also open to various interpretations.

Mise le meas



**Colin Doyle**