



# **DÁIL ÉIREANN**

---

## **AN BILLE UM EIRGRID, LEICTREACHAS AGUS MÓIN (LEASÚ), 2022 EIRGRID, ELECTRICITY AND TURF (AMENDMENT) BILL 2022**

### **LEASUITHE COISTE COMMITTEE AMENDMENTS**

---



# DÁIL ÉIREANN

---

## AN BILLE UM EIRGRID, LEICTREACHAS AGUS MÓIN (LEASÚ), 2022 —AN COISTE

### EIRGRID, ELECTRICITY AND TURF (AMENDMENT) BILL 2022 —COMMITTEE STAGE

---

#### *Leasuithe Amendments*

---

#### SECTION 3

1. In page 4, line 35, after “thereto” to insert the following:

“, with priority given to renewables, zero or low carbon electricity generation options or those most easily retrofitted into zero or low-carbon alternatives in the future”.

—Darren O'Rourke.

2. In page 4, after line 37, to insert the following:

“(c) place a moratorium on connections to the national grid by high energy users such as data centres,”.

—Bríd Smith.

3. In page 5, between lines 2 and 3, to insert the following:

“(d) EirGrid shall have regard to the human rights record of any electricity generation plant or electricity generator it enters into an agreement with.”.

—Darren O'Rourke.

4. In page 5, between lines 2 and 3, to insert the following:

“(2) The maximum generation capacity that may be acquired under *section 3(1)* is 450MW.”.

—Jennifer Whitmore.

5. In page 5, line 5, to delete “no later than 31 March 2027” and substitute “no later than 31 March 2025”.

—Jennifer Whitmore.

#### SECTION 4

6. In page 5, line 33, to delete “including a reasonable return,”.

—Denis Naughten, Matt Shanahan, Verona Murphy, Seán Canney.

[SECTION 5]

SECTION 5

7. In page 5, between lines 33 and 34, to insert the following:

**“Data centre grid connection moratorium**

5. (1) No new applications for grid connections from data centres will be approved by EirGrid until such time as the Minister for the Environment, Climate and Communications directs otherwise.
- (2) Within three months of the passing of this Act, an economic, environmental and energy security impact risk analysis of current and planned data centres shall be commissioned by the Department of the Environment, Climate and Communications.
- (3) The economic, environmental and energy security impact risk analysis outlined in *subsection (2)* shall be provided to the Joint Oireachtas Committee on Environment and Climate Action for consideration within one week of its completion.
- (4) Within three months of receiving the report outlined in *subsection (2)*, the Joint Oireachtas Committee on Environment and Climate Action shall consider the report, hear from expert witnesses its members considers appropriate and recommend to the Minister that the moratorium on grid connections for data centres be extended or lifted.”.

—Darren O'Rourke.

8. In page 6, lines 4 and 5, to delete “including a reasonable return,”.

—Denis Naughten, Matt Shanahan, Verona Murphy, Seán Canney.

SECTION 6

*Section opposed.*

—Denis Naughten, Matt Shanahan, Verona Murphy, Seán Canney.

SECTION 7

9. In page 7, between lines 4 and 5, to insert the following:

- “(6) Where costs are to be apportioned to electricity customers to achieve the specified purpose, the computation of the amount payable by holders of individual electricity accounts shall be—
- (a) by dividing the amount of levy to be attributed to each category of accounts in Schedule 2 of the Act of 1999 based on the increase in electricity demand under each category since the 7th June 2018,
- (b) in the distribution of cost within the Medium-Large Account category be calculated by a formula approved by both Houses of the Oireachtas which reflects the additional demand placed upon the electricity grid by data centres.”.

—Denis Naughten, Matt Shanahan, Verona Murphy, Seán Canney.

SECTION 8

10. In page 7, to delete lines 6 to 9 and substitute the following:

- “8. (1) EirGrid shall provide a report to the Commission on a quarterly basis, or more

[SECTION 8]

frequently as the Commission may require, in such form and manner and containing such information as the Commission may specify, in relation to measures taken by it pursuant to a direction and the performance of its functions under this Act.

- (2) EirGrid shall provide a copy of the reports completed by it under *subsection (1)* to the Joint Oireachtas Committee on Environment and Climate Action within one week of their submission to the Commission.”.

—Darren O'Rourke.

SECTION 9

11. In page 7, between lines 9 and 10, to insert the following:

**“Report**

9. Eirgrid shall submit a report to the Minister within six months of the passing of this Act that looks at possible alternatives to the use of the generators purchased, specifically possible policies aimed at reducing demand for electricity, specifically the reduction in planned growth of data centre connections to the national grid.”.

—Bríd Smith.

12. In page 7, between lines 9 and 10, to insert the following:

**“Report**

9. Eirgrid shall submit a report every six months to the Minister on the usage of the additional plant from whatever date it commences operations and shall record the additional emissions of Co2, if any, that are from these operations.”.

—Bríd Smith.

SECTION 10

13. In page 7, line 27, to delete “March 2028” and substitute “March 2026”.

—Jennifer Whitmore.

14. In page 7, line 33, to delete “2026” and substitute “2023”.

—Jennifer Whitmore.

SECTION 11

15. In page 7, between lines 38 and 39, to insert the following:

**“Order to increase generation capacity of direction or measure**

11. (1) The generation capacity referred to in *section 3(1)* may, by order of the Minister, be increased.
- (2) An order under *subsection (1)* shall be made by the Minister where he or she is satisfied that, having considered the report of the Commission under *section 12*, it is required for the specified purpose.
- (3) An order under this section shall be laid before each House of the Oireachtas and the

[SECTION 11]

order shall not be made until a resolution approving the draft has been passed by each such House.”.

—Jennifer Whitmore.

16. In page 7, between lines 38 and 39, to insert the following:

**“Reporting by Commission to Minister**

11. (1) The Commission must provide a report to the Minister on the 31st May of each year, on the progress of this Act in achieving the specified purpose and on the progress being made under the Security of Supply Programme of Actions as set out by the Commission.

(2) A report under this section shall be laid before each House of the Oireachtas.”.

—Jennifer Whitmore.

17. In page 8, between lines 5 and 6, to insert the following:

“(3) The increase in aggregate borrowings referred to in subsection (2) may not be utilised for the purpose of facilitating or supporting any new fossil fuel infrastructure connected with new oil or gas fields or with the use of LNG terminals.”.

—Brid Smith.

SECTION 13

18. In page 11, between lines 30 and 31, to insert the following:

“(c) The increase in aggregate borrowings referred to in subsection (2), shall not be utilised for the purpose of facilitating the commercial exploitation of any peatland by way of peat extraction or peat harvesting.”.

—Brid Smith.

SECTION 14

19. In page 11, between lines 30 and 31, to insert the following:

**“Publication of the Energy Security Review**

14. Within one week of the completion of the Energy Security Review, the Minister for the Environment, Climate and Communications shall publish it in full along with all supporting documentation.”.

—Darren O'Rourke.

20. In page 11, between lines 30 and 31, to insert the following:

**“Report into policy failures of electricity supply and demand**

14. (1) Within one week of the passing of this Act, the Minister for the Environment, Climate and Communications shall commission a report examining the factors that have led to

[SECTION 14]

the State needing to acquire emergency electricity generation capacity for the winter of 2023/2024.

- (2) The report outlined in *subsection (1)* shall be published within one week of its completion.”.

—Darren O'Rourke.

21. In page 11, between lines 30 and 31, to insert the following:

**“Report into Ireland’s participation in the Energy Charter Treaty**

14. (1) Within one week of the passing of this Act, the Minister for the Environment, Climate and Communications shall commission a report examining whether Ireland’s participation in the Energy Charter Treaty will obstruct the State’s path to net zero emissions by 2050 and the potential litigation costs that could arise from the phase-out of fossil fuels under the provisions of the Energy Charter Treaty.

- (2) The report outlined in *subsection (1)* shall be published within one week of its completion.”.

—Darren O'Rourke.

22. In page 11, between lines 30 and 31, to insert the following:

- “14. The Minister shall, within 180 days of the passage of this Act, publish a report on the mitigation measures to be taken to minimise the additional impact of intensified data centre activity on the Public Service Obligation levy and network charges for all other electricity customers.”.

—Denis Naughten, Matt Shanahan, Verona Murphy, Seán Canney.

23. In page 11, between lines 30 and 31, to insert the following:

**“Amendment of section 34 of the Planning and Development Act 2000**

14. Section 34(1) of the Planning and Development Act 2000 is amended by the insertion of the following paragraphs after paragraph (b):

“(c) the authority shall not grant permission to a development of a facility used primarily for the storage, management and dissemination of data, and the provision of associated electricity connections infrastructure until the following is carried out;

- (d) paragraph (c) shall continue in operation until three months after the cessation of the emergency operation of electricity generation plant as specified in section 3(2) of the *Eirgrid, Electricity and Turf (Amendment) Act 2022*.”.

—Jennifer Whitmore.

[TITLE]

TITLE

24. In page 3, line 7, after “electricity;” to insert “to provide for a moratorium on the development of new data centres for the duration of this Act;”.

—Jennifer Whitmore.