An Taisce
The National Trust for Ireland
5 Foster Place
Dublin 2, Ireland
D02 V0P9

Committee on Climate, Environment and Energy
Leinster House
Kildare Street
Dublin 2

Sent via email to Barry Kavanagh, Clerk to the Committee: climateenvironment@oireachtas.ie

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Consultation on the General Scheme of the Private Wires Bill 2025 (Amendments to Electricity Regulation Act 1999)

An Taisce welcomes the opportunity to make a submission to help inform the Pre-Legislative Scrutiny process for the General Scheme Private Wires Bill 2025 (Amendments to Electricity Regulation Act 1999). We recommend that the following issues be considered:

- An Taisce considers there to be many very serious potential pitfalls with the permitting and use of private wires and the provisions laid out in the General Scheme. This proposed legislation may allow private users to divert significant amounts of energy, including new renewables capacity, away from the national grid. If private wires are to be used to facilitate the development of new sources of significant power demand, such as data centres and other large energy users (LEUs), this could risk undermining rather than supporting our decarbonisation efforts.
    - This legislation could facilitate and incentivise renewables developers quickly connecting new renewable energy directly to data centres and other LEUs who are able to out-compete state bodies both in terms of speed and resources. This could mean that new renewable energy coming on stream will be snapped up to cover new large power demands, like new data centres, rather than going to decarbonise grid electricity and address our *existing* serious emissions mitigation needs.
    - In the absence of strong safeguards, permitting private wires could therefore create a two-tier energy system where private large energy users are competing for energy with the public interest and the urgent need to decarbonise our existing power demands.
    - This could contribute to increased system costs and prices for ordinary households already struggling with rising energy bills. It appears that private LEUs may not contribute their fair share to grid expansion and maintenance (even when they can use the grid for back-up) yet may benefit from a competitive edge over public entities such as the ESB if private wire access is granted. We would highlight that the Government's Private Wires Policy Statement published in July 2025[1] states that private wires cannot undermine the financing or the efficient development of the

[1] https://assets.gov.ie/static/documents/Private_Wires_Policy_Statement.pdf

National Electricity Grid. We do not consider the provisions in the Heads of Bill, including in Head 4, to adequately address these issues.
    - The potential impacts of the Bill on electricity costs, as well as on the ability to deliver the amount of energy capacity and grid infrastructure needed for housing and other societal needs, should be fully assessed.

- This General Scheme and all provisions allowing for the development and use of private wires should be assessed against and build in strong safeguards to ensure compliance with the Climate Action and Low Carbon Development Act 2015 (as amended) (the Climate Act) and the legally binding emissions reduction requirements of the carbon budgets. There is no reference to or analysis of any of this in the General Scheme. We consider that the General Scheme as written has not demonstrated compliance with the Climate Act, particularly in light of the other concerns raised in this submission.
    - Per section 15(1) of the Climate Act, public bodies, including the Commission for the Regulation of Utilities must exercise their regulatory functions in a manner consistent with climate objectives, including emissions reduction. We note that some apparent confusion remains regarding how the CRU is to apply the provisions of section 15 to its work, particularly regarding emissions reductions (see the latest CRU Large Energy User Connection Policy).

- The substantial risk of this legislation driving further fossil fuel lock-in needs to be fully assessed. Crucially, the Heads of Bill do not appear to preclude the connection of private wires to fossil fuel generation systems and power plants. The Private Wires Policy Statement recognised that private wires could indeed facilitate an increase in fossil fuel generation in the absence of proper regulation. This does not appear to be reflected in the General Scheme, however. Compliance with the national carbon budget programme and the Climate Act requires that fossil fuel use must decline rapidly over the coming decade and beyond. Any facilitation of further fossil fuel development or use would work directly against that requirement.
    - Additionally, in the case of data centres, we consider that private wire connections between data centres and fossil fuel power generation installations would be contrary to Government policy against islanded data centres (per the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy[2]).

- The risks associated with increasing and facilitating further power demand from data centres needs to be assessed – this is not at all considered in the General Scheme.
    - At the moment data centre growth is continuing without any national level assessment of the impact of their power demands on our emissions reduction obligations, on the share of renewable energy capacity in relation to overall power demand, on the grid, and on our ability to supply sustainable electricity to housing and other critical societal needs. We therefore recommend that the Bill explicitly preclude data centres from developing and/or using private wires. This should be maintained *at least* until it can be demonstrated that their power demand (and associated emission) is within the legal constraints of the carbon budgets, is not outpacing renewables capacity and growth, and is not impacting the grid or the ability to supply sustainable electricity to housing and other critical societal needs.

- We consider that the ten-year outer limit on the review timeframe provided for in Head 9 is too long given the rapidly changing landscape of energy and climate issues. Should this Bill

[2] https://enterprise.gov.ie/en/publications/publication-files/government-statement-on-the-role-of-data-centres-in-irelands-enterprise-strategy.pdf

progress, that timeframe should be significantly reduced to allow for more regular review of LEU energy demand, energy demand overall, the state of renewables penetration on the grid, carbon budget compliance, etc.

- There is no engagement in the General Scheme on community energy schemes or community owned energy and how these might relate to private wires. Renewable energy communities are only mentioned in passing in relation to the review provided for in Head 8. We recommend this be considered.

- All evidence, data and rationale that have informed this proposed legislation should be made publicly available.

We appreciate your consideration of these issues.

Is muidne le meas,

Phoebe Duvall
Senior Planning and Environmental Policy Officer
An Taisce – The National Trust for Ireland

Seán O'Callaghan
Planning and Environmental Policy Officer
An Taisce – The National Trust for Ireland