

## Statnett SF

The letter is sent via email to [tilknytning@statnett.no](mailto:tilknytning@statnett.no).

29 May 2026

## **Comment on Statnett's proposed stricter maturity requirements for consumer connections**

### **1. Introduction**

We refer to Statnett's consultation paper of 24 April 2026 regarding stricter maturity requirements and monitoring for consumer connections of 100 MW or more, with a deadline 29 May 2026 for submitting consultation responses.

Brunswick Real Estate is a Nordic real estate investor offering investment management services across asset classes. Brunswick builds independent, sustainable investment platforms, focused on targeted investment strategies, working closely with Nordic and international investors as well as local real estate partners. Brunswick has worked with data centre development since 2017 and currently has a team of 5 people exclusively working on data centre development projects across the Nordics together with Tier A data centre operators. Our comment focuses on the proposed requirement that maturity status be conditional on completed land-use and zoning plans, which we consider the most consequential element of the consultation paper, and on the related two-year transitional rule for projects already in the capacity queue.

Reserved transmission capacity should be allocated to projects with a realistic prospect of implementation. We support this objective and further encourage Statnett to measure the maturity of developers and development projects. However, the proposed mechanism may in practice produce outcomes contrary to the stated objective, as illustrated below.

### **2. Zoning as a condition for maturity**

#### **2.1 The proposition**

Statnett has proposed that necessary land-use purpose in the applicable zoning plan must be in place for the project to be considered mature. The initiation of a rezoning process that is likely to result in the adoption of the correct planning designation within a reasonable time shall no longer be sufficient.

While shifting public-law approvals earlier in the sequence may reduce speculative reservations, the proposal may equally lead to speculative regulatory processes and significantly reduce the incentive for

diligent actors to invest the necessary resources in data centre projects, contrary to the Government's objective of strengthening Norway's position as an attractive data centre nation for investors.<sup>1</sup>

A serious greenfield data centre project requires investment of tens of millions of NOK in due diligence, technical studies and planning work before a zoning plan can be adopted. Without any visibility on grid capacity at that stage, there is materially less reason to commit those funds. The likely result is that the overall level of speculation in the market increases rather than decreases: speculative actors can maintain a position in the planning system at relatively limited cost, whereas serious developers will not do so without some indication of available power. It is therefore notably the credible projects that are deterred by the proposed requirement.

## **2.2 The Norwegian planning system and its timelines**

Norwegian planning law operates with multiple levels. The land-use section of the municipal master plan (the "**Municipality plan**") sets the overall land-use designation for the municipality and is generally, revised every four years. Zoning plans are more detailed and apply to smaller areas.

It is unclear from the consultation paper whether it is the land-use designation in the Municipality plan or also the zoning plan that must be in place for a project to be deemed mature. This distinction is material. A Municipality plan amendment alone can take 18 to 36 months. A full detailed zoning plan with environmental impact assessment for a greenfield large-scale project will typically take 24 to 36 months even with the correct Municipality plan designation already in place, and considerably longer where formal objections are raised.

These timelines reflect deliberate features of the Norwegian planning system, and are largely outside the developer's control once a planning process has been initiated. It is therefore our view that neither an unconditional requirement for an adopted Municipality plan nor a zoning plan should be imposed as a condition for maturity.

## **2.3 Sequential rather than parallel processing**

Under the current regime, zoning and grid connection processes may run in parallel. Each process informs the other: the realistic prospect of grid capacity informs the planning authorities' assessment of project viability, and the progress of the planning process informs Statnett's assessment of project maturity. Both processes benefit from being conducted concurrently given the long processing times involved.

The proposed rule reverses this logic by requiring the planning process to be completed (zoning plan adopted) or partly completed (Municipality plan adopted) before the grid capacity application process can commence. Statnett's own assessment timeline reinforces this concern. In our experience, it currently takes approximately 6 – 12 months to be allocated a case handler and a further 6 – 12 months to obtain the result of the maturity assessment. Requiring this approximately 12 – 24 month process to follow, rather than run in parallel with, a completed planning process would add substantial lead time to an

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<sup>1</sup> *The data centre industry - a sustainable industry of the future for the digital Norway*, Ministry of Digitalisation and Public Governance (2025), page 28.

already lengthy development sequence. The cumulative effect risks making data centre development timelines in Norway uncompetitive compared to the rest of Europe.

Statnett's stated reasons for sequential processing support earlier engagement with the planning system, but they do not support prohibiting parallel processing as such.

The concerns raised align with the regulatory direction set out in recent EU guidance. In its December 2025 guidance on efficient and timely grid connections, the European Commission expressly advises that "*a full sequencing of procedures should be avoided, since it would lead to unnecessarily long procedures for projects*", and that "*projects with longer lead times and more complex permit-granting procedures (such as industrial electrification) are not disproportionately impacted*".<sup>2</sup>

#### **2.4 Delegation of maturity assessment to municipalities**

The requirement that the correct planning purpose must be adopted effectively shifts a significant part of the maturity assessment to municipal planning authorities. Municipalities have neither the resources nor the mandate to assess whether a data centre operator is a serious commercial enterprise, nor whether the operator has the financial and technical capacity that Statnett's maturity assessment is intended to verify. Municipal planning decisions balance local planning considerations, environmental concerns and democratic input – different questions from those relevant to efficient allocation of transmission capacity.

The result may be that local authorities which are otherwise willing and well-suited to host data centre developments lose out on projects because the correct planning designation is not adopted in time, through no fault of the developer.

Requiring the correct planning designation as a precondition for obtaining grid capacity will not necessarily screen out speculative actors. On the contrary, it may result in speculation shifting from the grid queue into the municipal zoning process, loading municipalities with speculative zoning initiatives from parties without credible development plans.

### **3. Transitional rule for projects in the capacity queue**

The proposed transitional rule requires that projects already in the capacity queue must have the necessary Municipality plan and zoning plans in place within two years of the new requirements coming into force, unless there are compelling and documented reasons to the contrary. As noted above, the realistic timeframe for an uncontested zoning plan for a new large-scale data centre ranges from approximately 24 to 36 months or more. Where formal objections are raised, a further 8 to 24 months should be anticipated. The two-year transitional period therefore corresponds to the most favourable end of the realistic range and is materially shorter than the timeframe a credible greenfield project should expect.

Impact on the progress caused by sector authorities, politicians, organisations and neighbours, including the mediation of formal objections, ministerial escalation and third-party appeals, do not necessarily

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<sup>2</sup> Commission Notice C/2025/6703 – Guidance on efficient and timely grid connections, EU Commission (2025), page 17.

provide information about the project's maturity or the developer's seriousness. They primarily reflect the exercise of statutory rights. Statnett should consider whether the exception for "compelling, documented reasons" should be expressly understood to encompass such delays and provide guidance on this point in the final rules.

#### **4. Concluding observations**

We welcome Statnett's effort to discipline the capacity allocation process. Our comments are intended to support the design of a framework that screens for actual project quality while recognising the institutional realities of the planning system and the appropriate division of responsibility between Statnett and municipalities.

We are available to discuss the points above.

Yours sincerely,  
Brunswick Real Estate

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