EQUINIX

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Equinix - Comments on: "Proposed Amendments to the Electricity Act, 1998, Ontario Energy Board Act, 1998 and the Municipal Franchises Act, to secure energy for generations."

Equinix is filing these comments in support of the Ontario Government's efforts to enact energy policy that supports the strategic interests of both Ontario and Canada as a whole. These efforts are necessary given the emergence of growth in electricity demand that many advanced economies around the world, like Ontario, face. We applaud establishing economic growth as a central objective of electric-power system regulation and planning. We were heartened to hear Premier Ford acknowledge the "tremendous amount of jobs" that the critical infrastructure of data centres can create. We also support the introduction of new policymaking and regulatory tools that enable the electric-power system to integrate new types of large loads while maintaining overall system reliability and affordability but urge Members of the Provincial Parliament to consider several recommendations which will further improve delivery of the Government's goals.

We will also be submitting detailed comments in response to the consultations on proposed regulations and look forward to closely working collaboratively with the Ontario Government and MPPs on this legislation and any subsequent regulations.

Who We Are

Equinix is the world's digital infrastructure company, operating more than 270 data centres in 36 countries and over 75 metros around the world. As the world's leading colocation data centre platform, we provide interconnection to over 10,000 customers, including the world's largest cloud platforms, financial institutions, AI developers, and public sector bodies.

In Canada, Equinix operates 15 datacentres in 6 provinces across Canada, including 5 in the GTA. Our highly secure, reliable, and interconnected facilities are the preferred choice of over 40 Canadian public sector & healthcare entities, 185 Canadian telecommunications & IT entities, and over 140 Canadian financial entitles. Our data centres enable these businesses and organizations to interact at ultra-low latency with each other and the rest of the world in the modern digital economy. Our digital infrastructure enables these customers themselves to contribute $218B of Gross Domestic Product (GDP) to Canada's economy in 2023, or ~10% of Canada's total GDP. We estimate that Equinix alone contributed $115M to the Canadian GDP economy in direct and value chain impacts in 2023 and expect this figure to grow rapidly in the years to come.

As part of our Build Bolder strategy, Equinix is doubling investment in new data centres; and we are excited and proud to deliver infrastructure that advances Canadian digital leadership, advanced industrial capability, and economic development.

Bill 40 – *Economic Growth Objectives*

Equinix strongly supports the Government's efforts in Schedule 1 and Schedule 3 of the proposed legislation to more closely link electric-power system regulation and planning to the

objective of economic growth. We strongly agree that the two are deeply entwined. Equinix's ability to serve the rapidly growing computing demands of the Canadian economy is directly contingent on our ability to access high-reliability electricity supplies. Ontario and Canada's ability to maintain a position at the technological frontier is directly dependent on an electric-power system positioned for sustainable expansion through continuous investments in power generation and grid infrastructure.

Bill 40 – *Data Centres*

Equinix broadly supports the objectives of the legislative proposal to ensure the orderly integration of new large loads in a way compatible with overall electric-power system reliability, affordability, sustainability, and economic growth. Given the wide range of new large loads entering the system there is a clear need for regulators, grid operators, and utilities to have new tools and authorities to deliver on their mandates. However, we urge legislators to consider the following recommendations which we believe will better serve Ontario and Canada's interests.

Recommendation: Enable creation of new incentive pathways for large loads in addition to any new mandatory interconnection criteria. Regulators should be directed or authorized to create energization-timeline based incentives for large loads that meet certain "grid-positive" or critical national infrastructure criteria. Utilities can deliver faster energization by prioritizing a given project's large load interconnection study and/or by prioritizing the actual investments to deliver energization. The legislation could empower regulators to enable prioritization based on "grid-positive" criteria established by utilities or IESO such as the ability to "bring your own generation", demonstrate "demand flexibility", or meet specific power management standards on sustainability or efficiency.

Recommendation: Enable regulators to consider critical national infrastructure standards in any incentive or mandatory requirement program. Here, Equinix recommends focusing on (1) physical site security systems, (2) data and cyber security, and (3) power management criteria such as those discussed above.

Recommendation: Narrow mandatory criteria to specific technical or financial standards that ensure the continued reliability and affordability of the electric-power system for existing consumers. These standards could include financial readiness criteria, financial commitments made by the large load customer to the utility, specific equipment or performance standards, or sustainability thresholds. Though we agree that new large load additions are relevant to economic development and broader public policy objectives we believe that grid regulators and operators are best suited to evaluate specific technical and financial criteria related to the site and project itself. Stated simply broad consideration of factors beyond the technical or financial impacts to the power system inject significant uncertainty into what should be a technically informed planning process. Broad, undefined standards which are liable to be subject to interpretation risk undermining investment in Ontario rather than enabling it. The legislation could establish a regular procedure for reviewing and revising these standards (for example on a rolling three-year basis) to ensure that emergent technology and policy considerations can be integrated as needed.

Recommendation: Establish a non-industry specific large load megawatt capacity (MW) threshold for mandatory "specified connection requirements". We recommend eliminating (f.0.1) and instead focusing on (f.0.2) to specific capacity large load megawatt (MW) threshold (e.g., 25MW+). Equinix has observed these thresholds set anywhere from 5MW to 100MW in various regulatory jurisdictions around the world and does not have a strong opinion on the exact MW threshold, instead recommending that legislation direct the implementation process rely on input from relevant electric distributors, IESO, or NERC. This approach ensures all industries and large load additions are studied, accounted for in planning processes, and face equal economic signals from the power system. Furthermore, a specific MW threshold ensures that small scale facilities which may host computing hardware, but which have no significant power system impact, are not unduly burdened or delayed. For example, we can imagine computing or other digital technology startups getting caught up in a regulatory process not intended for them, which directly cuts against broader economic and innovation objectives.

