

## **Public interest organizations support TenneT in landmark data center grid congestion case 30 June 2026**

Global data center developer Goodman is suing TenneT, the Dutch transmission system operator (“TSO”), after the grid operator refused to reserve scarce electricity capacity for a large data center in Haarlemmermeer. Although TenneT won the case before the court of first instance, Goodman has lodged an appeal. In this precedent-setting civil litigation, public interest organizations Stichting Leitmotiv (“Leitmotiv”) and Stichting ARTICLE 19 (“ARTICLE 19 Europe”) are now intervening to support TenneT. They argue that scarce grid capacity and electricity should serve the public interest rather than the commercial expansion plans of one data center developer.

### **What is the case about?**

Goodman is a global developer of data centers and other real estate. Since 2021, Goodman has attempted to obtain a grid connection for a 70 MW data center in Haarlemmermeer (near Amsterdam). For comparison, such a data center would have an annual electricity demand roughly comparable to up to 70 percent of the electricity used by Amsterdam’s households.

In early 2026, TenneT informed Goodman that the requested transport capacity is not available due to grid congestion. Other data center developers in the area have apparently received similar notices. In response, Goodman sued TenneT in summary proceedings before a civil court, asking the court to order TenneT to provide the grid connection. On 29 April 2026, the court of first instance denied the claims by Goodman ([link](#)). The court ruled that TenneT is allowed to put Goodman on a waiting list because of grid congestion. Moreover, the court found that the public interests served by TenneT carried more weight than Goodman’s purely financial interest.

Goodman has appealed this ruling, a procedure in which Leitmotiv and ARTICLE 19 Europe are now intervening to support TenneT. A hearing is expected after the summer.

### **Who is joining the case and why?**

Leitmotiv is a think-and-do tank working towards an alternative digital economy. ARTICLE 19 is a global NGO fighting for the right to freedom of expression. In the request to intervene, Leitmotiv and ARTICLE 19 Europe have emphasized the public interests at stake. These interests are the security of electricity supply, preventing climate change, (local) democracy, technological autonomy and freedom of expression.

Christiaan van Veen of Leitmotiv ([christiaan@leitmotiv.digital](mailto:christiaan@leitmotiv.digital)): *‘Electricity demand by data centers is skyrocketing in the Netherlands and is an important cause of grid congestion. We are now on the destructive path of passing the economic costs on to society, while deepening our dependence on fossil fuels and non-European tech corporations. We are intervening because we believe that an alternative digital economy is possible that remains within planetary boundaries, where the power of tech corporations is democratically controlled and human rights are respected and promoted.’*

Antanina Maslyka of ARTICLE 19 Europe ([antanina.maslyka@article19.org](mailto:antanina.maslyka@article19.org)): *‘Freedom of expression is increasingly decided at the infrastructure layer, by those who control the data centers, cables and power they run on. When a single data center developer can claim scarce grid capacity that a whole region depends on, the question is no longer only about energy. It is about who holds power over the systems our democracy, our access to information and our public debate rely on.’*

The intervention is brought by a team of lawyers from De Roos and PiLP. Sjoerd Lopik, attorney at De Roos ([sjoerd.lopik@deroos.eu](mailto:sjoerd.lopik@deroos.eu)): *‘In an era of climate crisis, grid congestion and the fight for digital sovereignty, it is indefensible that a massive data center is given priority access to the electricity grid over Dutch citizens, businesses, and public institutions. These broader public interests must be central in this case. That is why these NGOs have joined the proceedings.’*

Jelle Klaas, human rights lawyer at PiLP ([jklaas@pilp.nu](mailto:jklaas@pilp.nu)): *‘If Goodman wins, the interests of data centers will again trump all other interests that play a role. If TenneT wins, local authorities and grid operators keep an important tool to limit the amount of energy that huge data centers want to claim.’*