

Public

Ref: FOI/24/0033

National Energy System Operator

Faraday House

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InformationRights@nationalenergyso.com

nationalenergyso.com

12 February 2025

Dear requester

Request for Information

Thank you for your request for information which we received on 22 January 2025. Your request is being managed under the Environmental Information Regulations 2004 (EIR).

Request

You asked us, in relation to the National Grid Electricity Transmission Grimsby to Walpole Pylons, Overhead Transmission Lines and Associated Substation:

- 1. It is understood that there are two proposed interconnectors connecting in the Lincolnshire area, neither of these projects have been granted regulatory funding via the Cap and Floor mechanism. Given there are significant more interconnectors projects than National Electricity Systems Operator (NESO) indicates are required, which interconnectors are assumed to proceed and for those projects that are assumed to proceed, what assumptions are made with respect to power flows?*
- 2. [...] wish to know when the 2024 Electricity Ten Year Statement (ETYS) is to be produced? There was a licence obligation to issue the Annual ETYS by 30th November. Unfortunately, given all the recent changes introduced by Ofgem with respect to role of the NESO, it is not clear when the 2024 ETYS will be published. Please disclosure all correspondence that has been exchanged between NGET and NESO with respect to 2024 ETYS and the date this is now expected to be published?*
- 3. The System Security and Quality of Supply Standard (SQSS) was updated in 2012 with detailed instructions on how to model generation in determining the economic transfer levels. There is an obligation on NESO to keep the methodology of the SQSS under reviews so it remains fit for purpose and update as necessary, but no later than after 5 years so*

this should have been updated by no later than 2017. What/if any consideration have been made to update the SQSS since 2012?

- 4. Please could you provide copies of all correspondence between the Department of Energy Security and Net Zero (or predecessor), NGET, NESO (formerly ESO) in relation to the Grimsby to Warpole project for the period June 2022 to date.*

Initial response

I am writing to you today to confirm that NESO holds information that meets the scope of your request.

We are able to provide some information that meets the scope of part of your request today:

Question 2: There was a licence obligation to issue the Annual ETYS by 30th November. Unfortunately, given all the recent changes introduced by Ofgem with respect to role of the NESO, it is not clear when the 2024 ETYS will be published. Please disclosure all correspondence that has been exchanged between NGET and NESO with respect to 2024 ETYS and the date this is now expected to be published? [...] wish to know when the 2024 Electricity Ten Year Statement (ETYS) is to be produced?

- The Electricity Ten Year Statement was published on 28 January 2025 and is available here: [ETYS documents and appendices | National Energy System Operator](#).
- As you acknowledge in your request, the ESO licence was replaced by the NESO licence on 1 October 2024, and this required us to publish the EYTS 2024 by 31 January 2025.
- Unless you confirm otherwise, we will continue with the second part of this question relating to correspondence and respond in due course.

Extension to time for compliance

Regulation 7(1) of the Environmental Information Regulations 2004 (EIR) enables an organisation to extend the time for compliance from 20 working days to 40 working days. The extension may be applied when it is reasonably believed that additional time is required to locate and provide the information because:

- a request is for a large amount of complex information,
and
- it would not be practical to provide the information held or make a decision about whether to refuse the request within 20 working days.

Organisations are required to notify requesters that an extension is being applied as soon as possible and to explain the reason for the delay. Having commenced the search for information that meets the scope of your request we have concluded that it is reasonable for us to apply an extension to the time for compliance. This is because it is impracticable for us to respond to your request in full within 20 working days of receipt of your request i.e., on or before 19 February 2025.

In order to explain how we have reached this conclusion the following information may be helpful. To identify correspondence that meets the scope of question 4, we have run a search across our Microsoft tenant based on the subject and date range that you provided. Initial email threading and de-duplication processes have been conducted, resulting in 4471 items (emails and attachments). Each item will need to be individually reviewed to confirm it meets the scope of your request. The EIR lists a number of exceptions to the right of access. Organisations are not required to release information where an exception legitimately applies, and we must also determine whether an exception legitimately applies to the information held within each item. Further information on the EIR can be found here: [Freedom of Information and Environmental Information Regulations | National Energy System Operator](#).

We have therefore determined that, due to the volume and complexity of the request, we are unable to respond within 20 working days. We are applying the time extension as allowed for by Regulation 7(1) of the EIR and will respond as soon as possible and within 40 working days of receipt of your request i.e., on or before 20 March 2025.

Next steps

Please be assured that the Information Rights Team continue to prioritise your request. We will provide a full response to your request for information as soon as possible, and by 20 March 2025 at the latest.

You can ask us to review our response. If you want us to carry out a review, please let us know within 40 working days and quote the reference number at the top of this letter.

If you are still dissatisfied after our internal review, you can complain to the Information Commissioner's Office (ICO). You should make complaints to the ICO within six weeks of receiving the outcome of an internal review. The easiest way to lodge a complaint is through their website: www.ico.org.uk/foicomplaints. Alternatively, they can be contacted at: Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

Thank you for your interest in the work of the National Energy System Operator (NESO).

Regards,

The Information Rights Team

National Energy System Operator (NESO)

Public

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20 March 2025

Dear requester

Request for Information

Thank you for your request for information which we received on 22 January 2025. Your request has been managed under the Environmental Information Regulations 2004 (EIR).

We wrote to you on 12 February 2025 to inform you that we were applying Regulation 7(1) of the EIR and thereby extending the time for compliance from 20 working days to 40 working days. We are now able to respond to your request in full.

Request

You asked us, in relation to the National Grid Electricity Transmission (NGET) Grimsby to Walpole pylons, overhead transmission lines and associated substation:

- 1. It is understood that there are two proposed interconnectors connecting in the Lincolnshire area, neither of these projects have been granted regulatory funding via the Cap and Floor mechanism. Given there are significant more interconnectors projects than National Electricity Systems Operator (NESO) indicates are required, which interconnectors are assumed to proceed and for those projects that are assumed to proceed, what assumptions are made with respect to power flows?*
- 2. [...] wish to know when the 2024 Electricity Ten Year Statement (ETYS) is to be produced? There was a licence obligation to issue the Annual ETYS by 30th November. Unfortunately, given all the recent changes introduced by Ofgem with respect to role of the NESO, it is not clear when the 2024 ETYS will be published. Please disclosure all correspondence that has been exchanged between NGET and NESO with respect to 2024 ETYS and the date this is now expected to be published?*

3. *The System Security and Quality of Supply Standard (SQSS) was updated in 2012 with detailed instructions on how to model generation in determining the economic transfer levels. There is an obligation on NESO to keep the methodology of the SQSS under reviews so it remains fit for purpose and update as necessary, but no later than after 5 years so this should have been updated by no later than 2017. What/if any consideration have been made to update the SQSS since 2012?*
4. *Please could you provide copies of all correspondence between the Department of Energy Security and Net Zero (or predecessor), NGET, NESO (formerly ESO) in relation to the Grimsby to Walpole project for the period June 2022 to date.*

Our response

We confirm that we hold information in scope of your request and have responded to each of your questions in turn below.

1. ***It is understood that there are two proposed interconnectors connecting in the Lincolnshire area, neither of these projects have been granted regulatory funding via the Cap and Floor mechanism. Given there are significant more interconnectors projects than National Electricity Systems Operator (NESO) indicates are required, which interconnectors are assumed to proceed and for those projects that are assumed to proceed, what assumptions are made with respect to power flows?***

We would like to preface our response with some information about how interconnectors are considered. We provided further detail on our approach to offshore design, in our previous role as the Electricity System Operator (ESO), through the [Beyond 2030 Report](#). It is also important to recognise that it is not for NESO alone to determine the approval of interconnectors. Ofgem will decide those developers/projects which receive regulatory funding, and it is for the Planning Inspectorate to consider consenting of National Significant Infrastructure Projects. In future NESO will consider further the role of interconnectors as part of our approach to longer-term strategic energy planning. We set out our initial thoughts about how we might consider interconnection in the future as part of the recent consultation on the [Centralised Strategic Network Plan \(CSNP\) High-level methodology principles](#). We will be continuing to develop and will consult further about our future approach to strategic energy planning.

The Interconnector Register lists interconnector projects that hold connection contracts with NESO, both active and future projects. The Register is available here: [Interconnector Register | National Energy System Operator](#).

The [Future Energy Scenarios \(FES\)](#) presents a number of strategic and credible energy futures to support Great Britain's decarbonisation journey to Net Zero and is used in network planning processes. All supporting documents, including the modelling methods and pathway assumptions, are available here: [FES Documents | National Energy System Operator](#).

Recorded information is held on the interconnectors that have been assumed to proceed in each of the FES processes however NESO is unable to disclose information at project level as there is likely to be an adverse effect on developers should this information be made available to the public. We are therefore applying EIR Regulation 12(5)(e) which allows public bodies to refuse information to the extent that disclosure would adversely affect “the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.”

Commercial companies develop interconnector projects and are independent of NESO. These development projects are competitive processes, both in obtaining an interconnector licence and also for funding from investors and any available government funding where applicable. Given the competitive arena in which energy projects are developed and implemented, disclosure of information that a specific project has been assumed to proceed or conversely, not assumed to proceed, would be likely to have a commercial impact on developers. Disclosure that a project is not assumed to proceed could damage a developer’s bargaining position whilst investment and build decisions remain outstanding. It could also affect the value and viability of an upfront investment before the project is connected. Disclosure that a project is assumed to proceed may enable a developer to capitalise on that assumption, facilitating their ability to obtain investment and potentially fast-tracking their development, to the detriment of other developers. For these reasons, we are applying the exception at Regulation 12(5)(e). All exceptions in the EIR are subject to a public interest test.

NESO acknowledges that there are a number of public interest arguments in favour of disclosing the requested information. There is a general public interest in the development of energy infrastructure, particularly where the construction and development of such projects may have an impact on local areas. NESO is also mindful of the presumption in favour of disclosure that underpins the EIR.

There is a public interest in ensuring no specific developer is materially disadvantaged through the disclosure of information that may affect their legitimate economic interests. This ensures that there is a level playing field across all projects. NESO has a public duty under our licence to facilitate competition within the energy market and there is a recognised public interest in allowing competition in the energy industry.

Interconnector projects are crucial to the Government achieving its net zero and clean energy targets and anything that unjustifiably inhibits the competitive development of related projects runs counter to these goals. In the future power system, such as under [Clean Power Action Plan](#), we expect interconnectors to play a threefold role for the GB power system: firstly, in exporting excess renewable generation to other countries when it is not needed in GB; secondly, allowing GB to access European electricity markets, which may at times be cheaper than GB generation; and thirdly, supporting the GB power system when there is less renewable generation to ensure we maintain security of supply. Overall, we expect Great Britain to be a net exporter of power by 2030.

NESO is the designated independent system operator and planner under the Energy Act 2023 and must remain independent, fair, and consumer focused. Disclosure could erode trust within the sector, hampering NESO's role and our ability to drive forward reforms and initiatives that would bring benefits to consumers and to the environment.

Having weighed up these public interest arguments, our opinion is that the balance of the public interest lies in maintaining the exemption and withholding information on any specific project that has been assumed to proceed in the development of the FES.

When we are undertaking modelling of the power system for purposes such as strategic network planning, including the impact of import and exports of interconnectors, we use a pan-European market dispatch model, called Plexos. This model simulates the electricity market in the UK during a given time period, and based on weather and market factors will determine which generators will run in the Great Britain, and as a result of the electricity price in GB will determine the power flow to and from Great Britain via the interconnectors. The precise direction of a given interconnector is determined by the difference in the market price between GB and the connected country, and the need to manage any system constraints (a constraint is where there is insufficient network to allow the power to move as the market would like) in Great Britain.

- 2. [...] wish to know when the 2024 Electricity Ten Year Statement (ETYS) is to be produced? There was a licence obligation to issue the Annual ETYS by 30th November. Unfortunately, given all the recent changes introduced by Ofgem with respect to role of the NESO, it is not clear when the 2024 ETYS will be published. Please disclosure all correspondence that has been exchanged between NGET and NESO with respect to 2024 ETYS and the date this is now expected to be published?***

In our initial response to your request for information we confirmed that the ETYS 2024 was published on 28 January 2025. This was in line with the NESO licence which required publication by 31 January 2025.

To identify correspondence between NGET and NESO relating to the ETYS 2024 a search of email communications was undertaken by colleagues within NESO's Strategic Energy Planning Directorate. You will note this is a different approach to that required in response to Question 4 of your request. This was possible because the specific information requested resulted in fewer items to review.

We can confirm that information is held that meets the scope of this part of your request.

EIR Regulation 12(4)(d) allows us to refuse to disclose information to the extent that "the request relates to material which is still in the course of completion, to unfinished documents or to incomplete data".

The ETYS includes NESO's view of transmission system capability and requirements and is accompanied by appendices that include data workbooks and diagrams, illustrating how NESO reached its conclusions. The ETYS and all appendices are published on the NESO website: [Electricity Ten Year Statement \(ETYS\) | National Energy System Operator](#). In developing the ETYS NESO is supported by third parties, including the GB Transmission Owners, of which NGET is one. The email communications between NESO and NGET relate to the development of the ETYS24, particularly information and discussion relating to the development of the ETYS24 appendices. We have determined that the information held is 'still in the course of completion' i.e., the emails relate to the process of preparing 'material' which is now published.

All exceptions within the EIR are subject to a public interest test.

We recognise that there is a general public interest in transparency and that there is a public interest in information about the analysis NESO undertakes on Great Britain's electricity network. We are mindful of the EIR's presumption in favour of disclosure, and that the disclosure of information may inform public debate and understanding and show how NESO meets its obligation to provide analysis on transmission system capability and requirements

NESO does not believe, however, that there is a public interest in releasing information in draft form which has not been corroborated and has a duty to make sure that information in the public domain is accurate and correct. NESO has published the final version of the ETYS 2024 and appendices. This suite of documents provides a complete and accurate set of data, and analysis which is easily accessible and available to everyone.

We have concluded that the public interest lies in maintaining the exception at Regulation 12(4)(d) and are therefore not releasing these emails.

3. The System Security and Quality of Supply Standard (SQSS) was updated in 2012 with detailed instructions on how to model generation in determining the economic transfer levels. There is an obligation on NESO to keep the methodology of the SQSS under reviews so it remains fit for purpose and update as necessary, but no later than after 5 years so this should have been updated by no later than 2017. What/if any consideration have been made to update the SQSS since 2012?

The Security and Quality of Supply Standard (SQSS) sets out the criteria and methodology for planning and operating the National Electricity Transmission System (NETS).

The SQSS Panel meets every second month and its function is to:

- Keep the SQSS and its working under review
- Evaluate and administer amendments to the SQSS
- Keep the SQSS Governance Framework and its working under review
- Publish recommendations to modify the SQSS and the reasons for the recommendations
- Recommend any modifications of the SQSS to Ofgem.

The SQSS Code documents and information on modifications to the Code are published on NESO's website: [Security and Quality of Supply Standard \(SQSS\) | National Energy System Operator](#).

The current version of the SQSS is available here: [SQSS v2.8](#). SQSS Appendix E describes the modelling of Economy Planned Transfer, including the scaling factors. Clause E.4 states: 'The NGESO ISOP will review the appropriateness of these factors and revise them where necessary, based on alignment with cost benefit analysis. The period between reviews shall be no more than five years, but may be less if required.'

Modification proposals that relate to the economy planned transfer condition i.e., the condition arising from scaling the registered capacity of each power station according to the type of generation such that the total of the scaled capacities is equal to the ACS peak demand are:

- GSR 16
- GSR 22

There has been no change to the scaling factors since 2012.

NESO is currently working with industry and academia to consider whether there is a need to revise the scaling factors. The SQSS review plan can be accessed here: [SQSS Review plan](#).

4. Please could you provide copies of all correspondence between the Department of Energy Security and Net Zero (or predecessor), NGET, NESO (formerly ESO) in relation to the Grimsby to Walpole project for the period June 2022 to date.

As part of the strategic network development process, it is standard practice for our engineers to have dialogue with engineers at the Transmission Owners, about individual projects and reinforcements. We confirm that we hold records of this routine dialogue. Regulation 12(4)(b) of the EIR allows for a public authority to refuse a request where the request is manifestly unreasonable. We have determined that responding to this part of your request will cause a disproportionate burden and unjustified level of disruption to NESO. We are not applying this exception to your whole request.

We wrote to you on 12 February 2025 to inform you that we were applying Regulation 7(1) of the EIR and thereby extending the time for compliance from 20 working days to 40 working days. We required this extension to understand the true volume and complexity of the information that required reviewing.

In our initial correspondence we explained that, to identify correspondence that meets the scope of question 4, we had run a search across our Microsoft tenant based on the subject and date range that you provided. Initial email threading and de-duplication processes resulted in 4471 items (emails and attachments), and we explained that each item would need to be individually

reviewed to confirm it meets the scope of your request and to determine whether an exception applies to the information held within it.

The Information Rights team have subsequently carried out further manual deduplication processes, resulting in 3045 items (emails and attachments) that would need to be individually reviewed to determine whether the content of the items is in scope of your request.

Although we expect that much of the information held within the items will meet the definition of 'environmental information' at Regulation 2(1) of the EIR, we would need to determine this for each item. Where information is in scope but does not fall under EIR, we would also need to consider its disclosure under the Freedom of Information Act 2000 (FOIA) to which NESO is also subject.

For each item that is identified as being in scope of either legislation, we would also need to consider whether any exceptions or exemptions apply. It is highly likely that confidential and commercially sensitive information is held within the items. There will also be a large amount of personal data. All EIR exceptions and some FOI exemptions require a public interest test to determine where the balance between disclosing or withholding information lies. We would be required to consider the public interest test for each piece of information. As you have requested correspondence with third parties, we would also need to consult externally on the disclosure or withholding of information. Although consultation with affected third parties is not a legal obligation under the EIR, it is considered good practice under the EIR Code of Practice and by the Information Commissioner. In this case consultation would be required to ensure that we were considering and applying exceptions accurately. If we concluded that any information held was disclosable it is still likely that comprehensive redaction would be required.

To effectively conduct a review of the information held, the Information Rights team would require the support of colleagues from multiple teams across the organisation. Staff from across the business would be required to assist in identifying information in scope of the request and considering the disclosure or withholding of that information. There is no additional capacity ringfenced for addressing this type of request and colleagues would be diverted from their main areas of work, potentially for some considerable time. This would specifically include NESO Power System Engineers who are developing the Transitional Centralised Strategic Network Plan 2 (TCSNP2) Refresh and Centralised Strategic Network Plan (CSNP) methodology. Both TCSNP2 and CSNP are licence obligations, and key to NESO's delivery of future network plans for Net Zero. Diverting staff from Strategic Energy Planning would represent a disproportionate burden and disruption to NESO's responsibilities.

Section 12 of the Freedom of Information Act 2000 provides that public authorities may refuse a request if the cost of compliance would exceed the appropriate cost limit. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations set that limit at £400. This equates to 18 hours of staff time at £25 per hour. When estimating the cost of compliance, public authorities may take into account the time it would take to determine whether information is held and locate, retrieve and/or extract the information.

Although there is no legal equivalent of the 'appropriate limit' with the EIR it is a useful tool to aid us in determining what may be a reasonable allocation of resources when responding to a request. With 3045 items that require review we have calculated that, at a conservative 5 minutes per item, to respond to this part of your request would exceed 250 hours of staff time. Taking an 8-hour workday this equates to over 31 days. This does not include the time already spent.

We therefore consider that your request is manifestly unreasonable for the purposes of regulation 12(4)(b) of EIR (manifestly unreasonable request) as responding to it would place a disproportionate burden in time and cost on NESO.

Regulation 12(4)(b) is subject to the public interest test. There is a general public interest in public organisations being accountable and transparent and NESO ensures that it upholds as far as possible the presumption of disclosure under EIR. The disclosure of information in many circumstances may increase public understanding of decision making, facilitate effective public participation and increase the public's knowledge of how changes to the network are managed. Public authorities must however be protected from any disproportionate burden caused by requests for information. It is not in the public interest for NESO's resources to be diverted away from its key functions. There is also a large amount of information in the public domain relating to the Grimsby to Walpole project, much of it published by the Transmission Owner, National Grid Electricity Transmission.

Despite the presumption in favour of disclosure, the excessive burden of responding to this part of your request means that we conclude that the public interest lies in maintaining the exception in Regulation 12(4)(b) of the EIR.

Should you wish to resubmit a more refined request for correspondence we would consider whether it can be responded to proportionately. You may wish to narrow the time frame and/or identify a specific topic of interest. Given the broad scope of your request, it is difficult to provide further advice on how to refine your request but we would be happy to discuss requirements and options further in order to provide assistance. Please let us know if you would like discuss this further.

We would like to add a couple of additional points about our approach here. NESO became subject to the Freedom of Information Act on 1 October 2024. National Grid ESO was not covered by the FOIA but was subject to the EIR, so we look carefully at the dates of the information that is requested via the FOIA and EIR. In this case we were conscious that much of the information was likely to fall within the definition of environmental information and so the EIR would apply to the full timescale of your request. The EIR do not have a specific appropriate cost limit in the way that the FOIA does and we take a very cautious approach to applying the exception at Regulation 12(4)(b). Hence, we extended the time period and deadline in an endeavour to respond as fully as possible to your request. As the review process progressed, it became apparent that the volume of information, the complexity of the review, and the resource required, were so significant that we needed to consider this exception.

Please note that a different approach was taken in our response to your request for communications within question 2, due to more specific subject matter and substantially fewer items returned for review.

This concludes our response to your request.

Advice and assistance

Although you are no doubt familiar with the EIR, the Information Commissioner's guidance at [Manifestly unreasonable requests - Regulation 12\(4\)\(b\) \(Environmental Information Regulations\) | ICO](#) may be helpful with respect to our response to your fourth question.

The EIR Code of Practice is available here: [eir-regulation-16-code-of-practice.pdf](#). Given the breadth of your request in question 4 it is difficult to advise on how you may wish to refine it. Please let us know if you would like to discuss your requirements further.

Next steps

You can ask us to review our response. If you want us to carry out a review, please let us know within 40 working days and quote the reference number at the top of this letter.

If you are still dissatisfied after our internal review, you can complain to the Information Commissioner's Office (ICO). You should make complaints to the ICO within six weeks of receiving the outcome of an internal review. The easiest way to lodge a complaint is through their website: www.ico.org.uk/foicomplaints. Alternatively, they can be contacted at: Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

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Regards,

The Information Rights Team

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