

## Public

Ref: FOI/24/0044

National Energy System Operator

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Dear requester

### Request for Information

Thank you for your request for information which we received on 26 February 2025.

In your email of 26 February you stated that you were requesting information under the Environmental Information Regulations 2004 (EIR). We have determined that the information you have requested does not meet the definition of 'environmental information' provided at Regulation 2(1) of the EIR and your request is therefore outside the scope of the EIR.

Since 1 October 2024, the National Energy System Operator (NESO) has been subject to the Freedom of Information Act 2000 (FOIA). We have therefore considered your request under the FOIA.

### Request

You asked us:

*NESO recently produced some advice and analysis for DESNZ on the impact on Great Britain's electricity system covering the period 2027 to 2031, if bespoke support for large-scale biomass generation at Drax (2.5 GW capacity) and Lynemouth (0.4 GW capacity) was withdrawn from 2027.*

*The analysis showed that without large-scale biomass, security of supply would not be ensured in scenarios with additional supply losses. While alternative options could deliver the same outcomes, these options have greater delivery risks.*

*The department then announced new policy on 10 February.*

[https://urldefense.com/v3/\\_https://questions-statements.parliament.uk/written-statements/detail/2025-02-10/hcws424\\_!!B3hxM\\_NYsQ!1\\_wi6bDuPgysFsGslccBWJdOWWWayoDZcInolrmt8kqINRrjplDEtBtqPs08CvjWhZl6-LlegTf5x92Mzj7QyAD9aDmFrX4h3t-TNrrjxivosLEO\\$](https://urldefense.com/v3/_https://questions-statements.parliament.uk/written-statements/detail/2025-02-10/hcws424_!!B3hxM_NYsQ!1_wi6bDuPgysFsGslccBWJdOWWWayoDZcInolrmt8kqINRrjplDEtBtqPs08CvjWhZl6-LlegTf5x92Mzj7QyAD9aDmFrX4h3t-TNrrjxivosLEO$)

*I am writing to request a full copy of the advice and analysis produced by NESO for DESNZ. Please ensure this includes supplementary annexes and datasets.*

## **Our response**

We can confirm that we hold recorded information in scope of your request i.e., the assessment, analysis and advice on security of supply provided to the Department of Energy Security and Net Zero (DESNZ) on 15 January 2025.

The UK Government has agreed Heads of Terms with Drax Power Ltd for a Low Carbon Dispatchable Contract for Difference (CfD) at their 2.6GW Selby power station. The Heads of Terms define the commercial terms that will underpin a new contract to be finalised over the coming months. Our understanding is that the detailed contractual arrangements have not yet been agreed.

We believe that the publication of further detail on the advice provided to Government whilst contractual terms are being negotiated and finalised would be likely to impact on the negotiating positions and commercial interests of the parties. Furthermore, any potential comparable support from Lynemouth is still being considered by DESNZ and the disclosure of the analysis and advice could impact on future discussions with other parties involved in the supply of energy. We are therefore engaging the exemption at Section 43(2) of the FOIA. In reaching this conclusion, we have consulted with staff at DESNZ as well as with the NESO team that provided the advice.

The exemption at Section 43(2) of the FOIA is a qualified exemption and is therefore subject to a public interest test.

There is always a public interest argument for disclosure bringing greater transparency to the decision-making processes in the public sector and government and for public corporations to be accountable for their advice and actions. Information about Great Britain's energy supply, security and costs is very much a subject of public interest and debate at the current time, as is the approach to clean power and there is a public interest in furthering public understanding of issues and decisions which impact on members of the public.

There is, however, a public interest in the Government being able to ensure value for money and negotiate robust contractual terms with energy providers who operate within a competitive energy market within Great Britain. The ability to negotiate effectively with energy providers also

influences the security of energy supply for GB and there is a clear public interest in ensuring the reliability of electricity transmission and preventing the disruption of supply to households, businesses, industry, transport infrastructure and vulnerable individuals.

On balance we have determined that the public interest in maintaining the exemption at S43(2) of the FOIA outweighs the public interest in disclosure and that the public interest is satisfied by the summary statements published by NESO and DESNZ. We are therefore withholding the information held that meets the scope of your request.

This concludes our response to your request.

### **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](http://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)