

Public

Ref: FOI/25/020

National Energy System Operator

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15 May 2025

Dear requester

Request for Information

Thank you for your request for information which we received on 15 April 2025. Your request has been considered under the Freedom of Information Act 2000 (FOIA).

Request

You asked us:

I ... was looking to find data on the available energy margin since 2016. Ideally as granular as possible so I can match to the 5-minute, and 30-minute interconnector flows data set. I'm still getting my head around how the grid works but broadly by energy margin I mean, what we were able to turn on in response to a generation outage (don't really mind the time scale). Anything you can do to help would be greatly appreciated!

Our response

We confirm that we hold some information in scope of your request.

You may find this information available on the NESO website helpful: [What are margins? | National Energy System Operator](#).

As part of daily planning processes within NESO's Electricity National Control Centre (ENCC) the control room strategy team produces a System Operating Plan (SOP) at key demand peaks or troughs throughout the day, at what we call a Cardinal Point (CP). The SOP is a snapshot of key information that is available to the ENCC at that time of its creation and based on this information provides a flexible strategic plan to ensure NESO fulfils all its obligations to balance the system.

Prior to each CP the Strategy team hand over the relevant SOP to the real-time Energy team, who then use this plan to take real-time operational decisions to balance the electricity system.

The SOP includes the operating margin at each point a plan was generated. The SOP key data points are published through the NESO Data Portal: [System Operating Plan \(SOP\) | National Energy System Operator](#). Column AF of the downloadable CSV file is the operating margin surplus at the point each SOP was generated.

We are unable to provide more detail than the publicly available information. This is because the data that populates the system operating plans and margin calculations at unit level is strictly confidential and commercially sensitive as they contain non-public pre-gate closure data which was provided to NESO by third parties. Pre-gate closure data (including pricing, physical positioning and dynamic capabilities of units) is non-firm, able to change over time and representative of the commercial positioning of units ahead of the active market window. Publishing this data risks sharing company commercial strategies with the current market.

Information on the balancing mechanism, including an explanation of 'gate closure', can be found here: [What is the Balancing Mechanism? | National Energy System Operator](#).

The exemption at Section 43 of the FOIA allows us to withhold information where its disclosure would prejudice the commercial interests of NESO or another party. In this case, the disclosure of the information would prejudice the commercial interests of the companies which provide the pre-gate closure data.

This exemption is a qualified exemption, and we are therefore required to conduct a public interest test. There is a public interest in transparency and accountability regarding the public tasks that NESO performs and the security of energy supply. NESO also acknowledges that there is a public interest in furthering public understanding of the supply of energy, the use of renewable energy sources, and the cost of energy to consumers.

NESO has a duty under its license to facilitate competition in the energy sector, to ensure that market participants are able to compete fairly, and to ensure competitive pricing in order to reduce costs to consumers. It is not in the public interest for the market competition to be distorted by disclosures of confidential information relating to the commercial strategies of a limited number of market participants which would disadvantage them and provide a competitive advantage to other participants in the energy market. This would, in turn, be likely to result in the public benefit of having an efficient competitive market being to some extent eroded, with a knock-on effect for consumers of electricity and the security of the supply of energy.

Having weighed up the public interest arguments, on balance we find that the public interest lies in maintaining the exemption and not publishing this commercially sensitive information.

The exemption at Section 41 of the FOIA also allows us to refuse information which was provided to NESO in confidence by a third party. Pre-gate closure information is provided to NESO in confidence and under the [Grid Code](#). The Grid Code contains a confidentiality section at GC.12

which confers an obligation of confidentiality to other users of the Code. In our opinion, the Grid Code confidentiality requirements which form part of our licence obligations engage the Section 41 FOIA exemption. This exemption is an absolute exemption which does not require us to conduct a public interest test.

NESO is subject to the Utilities Act 2000 which contains restrictions on the disclosure of information received by NESO. Under Section 105 of the Utilities Act there is a prohibition on NESO disclosing information that we have obtained which “relates to the affairs of any individual or to any particular business”. Failure to comply with this restriction is a criminal offence. In our opinion, the disclosure of the pre-gate closure information provided by BM units, would be likely to be a breach of Section 105 of the Utilities Act. This information is therefore also exempt from disclosure under Section 44 of the Freedom of Information Act which allows us to withhold information where its disclosure is prohibited by or under any enactment. The exemption at Section 44 is an absolute exemption which does not require us to conduct a public interest test.

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. 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)