

Public

Ref: FOI/25/064

National Energy System Operator

Faraday House

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Warwick

CV34 6DA

InformationRights@neso.energy

www.neso.energy

2 July 2025

Dear requester

Request for Information

Thank you for your request for information which we received on 26 June 2025. We have considered your request under the Freedom of Information Act 2000 (FOIA) as we have determined that the information requested does not meet the definition of 'environmental information' provided at Regulation 2(1) of the Environmental Information Regulations 2004 (EIR).

Request

You asked us:

This is a request under the Environmental Information Regulations 2004 (EIR). According to this statement ([NESO Statement on Government Biomass announcement | National Energy System Operator](#)), you analysed "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if bespoke support for large-scale biomass generation at Drax (2.5 GW capacity) and Lynemouth (0.4 GW capacity) was withdrawn from 2027."

Please can you provide the document which would be considered to be the equivalent of a final report from this analysis?

Our response

We confirm that we hold information in scope of your request. We have previously been asked for the same information:

FOI/24/0044: On 26 February 2025 we were asked:

This is an EIRs request. 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bespoke support for large-scale biomass generation at Drax (2.5 GW capacity) and Lynemouth (0.4 GW capacity) was withdrawn from 2027.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: [Written statements – Written questions, answers and statements – UK Parliament](#).

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.

FOI/15/015: On 14 April 2025 we were asked:

Commenting on the chosen pathways for electricity generation in 2030, the Clean Power 2030 Report says, "While alternative options could deliver the same outcomes, these options have greater delivery risks."

Would you please provide details of the alternative options you considered and your assumptions, analysis and commentary on the delivery risks of the alternatives.

On 30 April 2025 it was confirmed that this request FOI/25/015 related to NESO's Statement on Government Biomass Announcement of 10 February 2025.

As we have determined that we have recently responded to requests for the same information, we enclose our responses to those requests. Responses are also published on [NESO's FOI / EIR Disclosure Log](#).

We were asked to undertake internal reviews of our responses to the previous information requests, and you may be interested in the outcome of those reviews:

- FOI/24/0044 (review concluded 9 May 2025)** – We considered the request under the Freedom of Information Act 2000 (FOIA) and were asked to review whether the request was for environmental information and therefore should have been considered under the Environmental Information Regulations 2004 (EIR). The internal reviewer concluded: 'We do not consider that the information you have requested meets the definition of 'environmental information' under the EIR and your original request was therefore outside the scope of the EIR ...In considering your original request, we reviewed the definition of 'environmental information' under Regulation 2(1)(a) of the EIR and neither your request nor our review identified an element of the environment (and the state thereof) relevant to your request. As such, the factors in Regulation 2(1)(b) of the EIR are not engaged (because these apply by reference to elements of the environment) and similarly the measures in Regulation 2(1)(c) of the EIR are not engaged (because these apply by reference to elements of the environment and factors affecting or likely to affect the elements of the environment).'

- **FOI/25/015 (review concluded 16 June 2025)** – We were asked to review our decision to apply the exemption provided at s43(2) of the FOIA. The internal reviewer concluded that s43(2) of the FOIA had been applied appropriately and the original response was upheld. A section of the internal review expanding on the application of s43(2) is provided below:

The exemption at Section 43 of the FOIA allows us to withhold information where its disclosure would be likely to prejudice the commercial interests of NESO or another party. We are unable to provide more detail than the publicly available information. We consulted with staff at DESNZ as well as with the NESO team that provided the advice, and it is agreed 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. Publishing the requested data risks revealing commercially sensitive information to competitors and would undermine the Government's ability to compete effectively in a global market.

The release of this information into the public domain at the time of the request, would be prejudicial to the parties' commercial interests. This is because it contains confidential information, disclosure of the information at the time of the request would be likely to affect market behaviour and reduce the ability of Government to obtain best value for money in addition to affecting the parties' shares and other financial instruments. Disclosure would also damage the parties' commercial interests and ability to secure future investment, partnerships or customers.

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 however, in the public interest for the market competition to be distorted by disclosures of confidential, commercially sensitive information relating to the commercial interests of a limited number of market participants which would disadvantage them and provide a competitive and commercial leverage to other participants in the energy market. This would, in turn, be likely to distort what should be, an efficient competitive market to the detriment of all parties and ultimately the consumer

The need to protect the security of supply from outside forces including but not limited to state attacks and or distortion of market prices and or participants that may gain a commercial leverage is of paramount importance, disclosure is therefore not in the public interest.

As your request is asking for the same information, we advise that we are relying on S43(2) of the Freedom of Information Act 2000 for the reasons provided in our original responses and subsequent internal reviews and are therefore refusing your request.

This concludes our response to your request.

Next steps

If you are dissatisfied with our handling of your request, 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. You can find our procedure here: [Freedom of Information and Environmental Information Regulations | National Energy System Operator](#). The ICO's website also provides guidance on the internal review process: [What to do if you are dissatisfied with the response | ICO](#).

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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27 March 2025

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. 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,

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12 May 2025

Dear requester

Request for Information

Thank you for your request for information which we received on 14 April 2025. Your request has been considered under the Freedom of Information Act 2000 (FOIA).

Request

You asked us:

Commenting on the chosen pathways for electricity generation in 2030, the Clean Power 2030 Report says, "While alternative options could deliver the same outcomes, these options have greater delivery risks." Would you please provide details of the alternative options you considered and your assumptions, analysis and commentary on the delivery risks of the alternatives.

On 30 April 2025, you clarified that your request relates to [NESO's Statement on Government Biomass Announcement](#) (10 February 2025) which includes the sentence "While alternative options could deliver the same outcomes, these options have greater delivery risks."

Our response

We recently responded to a similar request for information (our reference FOI/24/0044), in which we were asked:

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. 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.

We refused this request, applying the exemption at S43(2) of the Freedom of Information Act. The full text of our response is available here: [FOI/24/0044 \(27 March 2025\)](#).

We have determined that your request for 'details of the alternative options you considered and your assumptions, analysis and commentary on the delivery risks of the alternatives' is materially the same as the earlier request for 'a full copy of the advice and analysis produced by NESO for DESNZ'. We therefore advise that the explanation provided in the linked response applies equally to your request i.e., we are applying the exemption at S43(2) of the FOIA and refusing 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. 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).

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The Information Rights Team, National Energy System Operator (NESO)