

## Public

Ref: FOI/25/141

National Energy System Operator  
Faraday House  
Gallows Hill  
Warwick  
CV34 6DA

[InformationRights@neso.energy](mailto:InformationRights@neso.energy)

[www.neso.energy](http://www.neso.energy)

10 November 2025

Dear requester

### Request for Information

Thank you for your request for information which we received on 13 October 2025.

Your request has been considered under the Environmental Information Regulations 2004 (EIR) as we believe that the requested information about Winter Outlook 2025/26 falls within the definition of environmental information as set out in Regulation 2(1) of the EIR.

### Request

You asked us:

*Your winter outlook is based around peak demand of around 60GW.*

*But it then goes on to state that demand may peak at around 48 GW at most (page 15), which is in line with the figures we see most years.*

*Why the difference? Is it something to do with embedded generation, which shows up as a reduction of demand in BMRS daily data?*

*Also, your workbook shows capacity of 7387 MW for OCGT/Reciprocating (Fig 1) - have you got a list of these, as DUKES give a figure of 2.7GW*

### Our response

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

The 48 GW refers to our National Demand forecast. The (60 GW) demand used for our de-rated margin assessment reflects the explicit consideration of embedded generation when assessing the total technical capacity of generation. As such we consider the proportion of the Underlying Demand met by such assets.

In terms of your request for a list of Open Cycle Gas Turbines/Reciprocating plants included in Figure 1 of the Winter Outlook Workbook 2025/26 Data Workbook, we are refusing to provide the information under Regulation 12(5)(e) of the EIR. Information is covered by Regulation 12(5)(e) if:

- The information is commercial or industrial in nature;
- Confidentiality is provided by law;
- The confidentiality is protecting a legitimate economic interest;
- The confidentiality would be adversely affected by disclosure.

NESO's adequacy assessments draw on a variety of data sources including [REMIT I Insights Solution](#) data (regulation on wholesale energy markets integrity and transparency), Operational Planning Data (Operating Code No.2 or "OC2" data) and Capacity Market Registers. While public data informs the generation background of our assessment, market intelligence and information uniquely available to us as the system operator may inform the inclusion or exclusion of individual units from our base case.

We believe the requested information is commercial in nature as it relates to the availability of individual units and our use of this exception is primarily in respect of the potential consequence on market participants. Disclosure of the information may impact investors' views of the revenue potential of individual assets. This would adversely affect competition in the electricity market, ultimately impacting on consumers (including public service providers, individuals and businesses).

In our opinion, the requested information is confidential in law. NESO falls within the scope of the Utilities Act 2000 and Section 105 of that Act makes it a criminal offence to disclose information: a) obtained under the Utilities Act 2000 and any other key energy legislation such as the Gas Act 1986 and the Electricity Act 1989, subject to specific exceptions; and b) where the information relates to the affairs of any individual or any particular business during the lifetime of the individual or so long as the business continues to be carried on.

NESO is also bound by confidentiality obligations in Paragraph 65 of the Electricity Market Regulations 2014 and the Grid Code (GC.12.1). Beyond this is also a common law duty of confidentiality based on the expectations of market participants. NESO has no explicit consent from market participants to share information which is not already in the public domain or required to be made public.

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

NESO is mindful that the EIR requires us to apply a presumption in favour of disclosure when considering the public interest test. There is a public interest in NESO, as a public corporation, being accountable for our assessments and activities to deliver plans, manage, and run the energy system. There is a public interest in furthering public understanding of the costs and assumptions used in the development of energy policy, planning and investment. NESO recognises that there is a public interest in the security of energy supply. We publish our assessments of electricity security of supply and accompanying data workbook.

The public interest in the exception is in ensuring that no specific participant is materially disadvantaged through disclosing confidential commercial information. This ensures that there is a level playing field across all participants.

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. 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 exception and withholding the information requested. It would not be in the public interest for us to act in a manner that conflicts with our responsibilities regarding the promotion of competition in the market and delivering consumer value.

Whilst we cannot provide the specific information requested, the Capacity Market Register (which is available via the NESO data portal, [here](#)) is comparable to the data used in our assessment. This data may be sufficient to meet the purpose of 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](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)