

Public

Ref: FOI/25/270

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27 February 2026

Dear requester

Request for Information

Thank you for your request for information which was received by NESO on 30 January.

Your request has been considered under the Environmental Information Regulations 2004 (EIR) as we believe that the requested information falls within the definition of environmental information as set out in Regulation 2(1)(c) of the EIR. The exemption at Section 39 of the Freedom of Information Act 2000 (FOIA) covers information that a public body is obliged to consider under the EIR and has the effect of routing all requests for environmental information via the EIR rather than the FOIA.

Your request

You asked us for the following information:

1. *The methodology and regional breakdown used to conclude that East Pye Solar:*

- *aligned with East of England T7 CP2035 targets*
- *was compatible with Dx + Tx capacity constraints for 2035 for T7*
- *Any project-specific scoring or prioritisation*

2. *The total capacity in MW of all current gate 2 solar offers in T7 in relation to CP2035 transmission only targets for T7 (900MW)*

3. *The total capacity in MW of all current gate 2 solar offers in T7 in relation to combined Tx+Dx targets for T7 East of England (3300MW).*

4. The total capacity in MW of all current gate 2 battery offers in T7 in relation to CP2030 + CP2035 targets (200MW + 200MW)

5. The total capacity in MW of all current gate 1 battery offers in T7 in relation to CP2035 targets (200MW)

Our response

We confirm that we hold information in scope of your request. This includes information provided in our initial response FOI-25-243 dated 12 February 2026 to your enquiries received by NESO on 15 January 2026. Where applicable to your current enquiry, such previously provided information is repeated below.

1. - We used the below solar capacity figures from Government’s Clean Power 2030 Plan Connections Annex¹. For East Anglia this is covered by zones D8 (distribution) and T6 and T7 (transmission) - noting that these are electrical zones and that the D8 zone covers significantly more than just the East Anglia region² (e.g. it also covers Greater London, Essex and Kent) and there was no specific allocation to the East Anglia region of D8 for phase 1.

D8 – Phase 1 (needed by 2030): 8100MW (initially allocated permitted capacity)

T7 – Phase 1 (needed by 2030): 100MW (initially allocated permitted capacity)

T7 – Phase 2 (needed by 2035): 3300MW (initially allocated permitted capacity, noting that this also includes distribution connected projects within D8 that fall within the East Anglia region).

In line with the arrangements set out in the connections methodologies, the initially allocated permitted capacity is first allocated to existing built/operational solar projects in the relevant zone. Once built/operational capacity has been allocated, the remaining permitted capacity is available to be allocated to projects that meet the Gate 2 criteria.

The figures for built/operational and Gate 2 solar are set out in our detailed results document³, specifically Table 2, Table 3, Table 6, Table 11, Table 12, Table 15 and Table 25, but are summarised below. We have also included in the table below the capacity of solar receiving Gate 2 status which is ‘protected’:

¹ <https://www.gov.uk/government/publications/clean-power-2030-action-plan/clean-power-2030-action-plan-a-new-era-of-clean-electricity-connections-reform-annex>

² <https://www.neso.energy/document/351441/download>

³ <https://www.neso.energy/document/374936/download>

Zone	Built / operational solar	Phase 1 solar (of which 'protected')	Phase 2 solar (of which 'protected')
D8 phase 1	2449.6MW	3084.6MW (2030.0MW)	See T7 phase 2
T7 phase 1	0MW	380.8MW (124.7MW)	See T7 phase 2
T7 phase 2 ⁴	552.84MW ⁵	See T7 phase 1	1860.8MW (47.0MW)

'Protected' means projects that met one or more of the 'protection criteria' set out in the connections methodologies – see pages 37 to 39 of the Gate 2 Criteria Methodology⁶. We cannot provide any further breakdowns as the statuses which have already been presented and published were the only ones used in Gate 2 assessments, i.e. further recorded information is not held.

The Gate 2 calculations were determined in accordance with the connections methodologies published on NESO's website⁷, as approved by the energy regulator (Ofgem).

The only input used to determine whether East Anglia was already at/over the CP2035 (Tx + Dx) solar initially allocated permitted capacity at time of Gate 2 assessment was the built/operational solar capacity for T7 at the time of the close of the Gate 2 submission window (26/08/25), i.e. 552.84MW as per the Table above. This meant that, in accordance with the connections methodologies (specifically section 5.4, page 28 of the Connections Network Design Methodology⁸), 2747.16MW⁹ of solar capacity was available to allocate in total to solar projects that met the Gate 2 criteria in zone T7 across phase 1 and phase 2.

NESO figures are determined directly from evidence submitted by customers and assessed by NESO. As per the figures in the previous paragraph above, zone T7 was not already over the solar initially allocated permitted capacity permitted for 2035 in terms of built/operational capacity and neither is it over the permitted capacity also taking account of protected projects.

⁴ noting that this also includes distribution connected projects within D8 that fall within the East Anglia region

⁵ This figure represents the built solar capacity from D8 that falls within the East Anglia T7 region

⁶ <https://www.neso.energy/document/375016/download>

⁷ <https://www.neso.energy/industry-information/connections-reform/connections-reform-design-documents-and-methodologies>

⁸ <https://www.neso.energy/document/375026/download>

⁹ This represents the 2035 capacity from Government's CP30 Plan (3300MW) minus the built / operational capacity (552.84MW)

- 2.** Of the total capacity of 1860.8MW for all phase 2 gate 2 solar in T7, as set out in our detailed results document¹⁰ and summarised in the table at 1 above, 1365.22 MW is in relation to transmission-connected capacity (noting that this 1365.22MW figure includes both directly transmission-connected and large distribution-connected solar projects, but excludes small or medium distribution-connected solar projects).
- 3.** The total capacity of all current gate 2 solar projects in T7 in relation to combined Tx+Dx targets for T7 East of England (3300MW) is 2241.6MW (380.8MW for Phase 1 plus 1860.8MW for Phase 2), as set out in our detailed results document and summarised in the table at 1 above.
- 4.** The total capacity of all current gate 2 battery offers in T7 in relation to CP2030 + CP2035 (ie phase 1 + phase 2) compared to initially allocated permitted capacity (200MW + 200MW) is 1,711.6MW (784.0MW for Phase 1, plus 927.6MW for Phase 2), as set out in our detailed results document (see Tables 6 and 12).
- 5.** The total capacity in MW of all current gate 1 battery offers in T7 is 4283.1MW (this figure only represents batteries in T7 that did not meet the Gate 2 strategic alignment requirements – it does not for example include any batteries in T7 that did not apply for a Gate 2 agreement or that applied for a Gate 1 agreement).

As shown in the detailed results published by NESO, there was significant oversupply of batteries in zones D8 and T7, in phase 1 and phase 2, compared to the battery capacities for those zones set out in Government's CP30 Plan. This oversupply of batteries was because those batteries had all met the protection criteria referred to above.

You asked at question 1 for information on any project-specific scoring or prioritisation. NESO will not provide any further information relating to specific developers or their projects other than that which is made publicly available.

Regulation 12(5)(e) of the EIR states that a public authority may refuse to disclose information to the extent that its disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

Information is covered by Regulation 12(5)(e) if:

- The information is commercial or industrial in nature;
- Confidentiality is provided by law;

¹⁰ <https://www.neso.energy/document/374936/download>

- The confidentiality is protecting a legitimate economic interest;
- The confidentiality would be adversely affected by disclosure.

Information relating to specific developers and projects is commercial in nature and our use of this exception is primarily in respect of the potential consequence to the developer's commercial interests.

Whilst we review each request that we receive on a case-by-case basis, you will see from the responses published on our Disclosure log | National Energy System Operator that our decision to refuse your request is consistent with our decisions on similar requests for other projects.

Commercial companies develop generation projects and are independent of NESO and the respective transmission owners. These development projects are competitive processes, both for the rights to supply electricity to the transmission network and also for funding from investors and any available government funding where applicable.

Given the competitive arena in which renewable energy projects are developed and implemented, a developer would not expect their commercial information to be published. This would, in effect, make it available to other developers.

Connection offers are made substantially in the form and under the terms of the Connection and Use of System Code (CUSC). The CUSC has exhibits containing proformas of the documents which set out the main content of the connection agreements with a developer, and you can find the CUSC and the proformas on our website: [Connection and Use of System Code \(CUSC\) | National Energy System Operator](#). NESO is bound by the confidentiality obligations under the CUSC and cannot share the specific terms put in place with a developer.

NESO also 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.

You may find it helpful to know that this kind of confidentiality obligation is not limited to the energy sector. There are equivalent provisions in legislation governing other sectors (e.g. the Water Act 1989, the Telecommunications Act 1984, the Airports Act 1986, and the Broadcasting Act 1990). In our opinion, the information in question which is held by our Connections Team is subject to the restrictions at Section 105 of the Utilities Act and does not fall within any of the limited exceptions to that duty of confidentiality. Beyond this, there is also a common law duty of confidentiality based on the expectations of the developers.

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 public interest in renewable energy development, particularly where the construction and development of such projects may have an impact on local areas. The general public may be interested in the dates and times of construction, the connection dates, and the timelines and scope of developments.

There is a public interest in ensuring no specific developer is materially disadvantaged through disclosing confidential commercial information, which is not released in respect of other projects. 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. Increased renewable generation is crucial to the Government achieving its net zero and clean energy targets and anything that unjustifiably inhibits the competitive development of that renewable generation runs counter to these goals.

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 the information for this project. NESO is ensuring that it is being as transparent as possible through the Connection Reform process and will therefore not publish information where there would be an adverse effect on any party. The information in the TEC Register confirms where there is a project covered by an agreement. Where a project has received a Gate 1 or Gate 2 offer that information will be made available through the TEC Register once the offer is countersigned. Where a developer has consented to the information being made publicly available, the Existing Agreements register confirms whether a project applied for Gate 2 through the G2TWQ process. The CUSC information outlines the substantial content of connection agreements whilst preserving the commercial confidentiality owed to the developer and ensuring that NESO meets its legal and licence obligations.

The use of the EIR exception for similar information relating to the connection of windfarms was the subject of a Decision Notice (Reference IC-127537-Q8R6) from the Information Commissioner. Whilst we consider every request for information on a case-by-case basis, the Information Commissioner's analysis of the connections process and the application of this exemption is helpful context. This decision upheld the use of the exception by the National Grid Electricity

System Operator prior to our transition to NESO. The full decision is available on the Information Commissioner's Office (ICO) website.

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)