

Public

Ref: FOI/26/186

National Energy System Operator
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22 September 2026

Dear requester

Request for Information

Thank you for your request for information which was received by NESO on 24 August 2026. Your request has been considered under the Environmental Information Regulations 2004 (EIR) as the requested information falls within the definition of environmental information at Regulation 2(1)(c) of the EIR.

Request

You asked us:

Please treat this as a request under the Environmental Information Regulations 2004 (EIR), and under the Freedom of Information Act 2000 (FOIA) insofar as any requested information falls outside the EIR.

Please provide the following information:

- *All communications or documents concerning "Xlinks" or "Stratus" or "Solar Ventus" or "Exus" or "Valeon" or "Nexus" since April 1, 2024*
- *All communications or documents concerning ("Xlinks" or "Stratus" or "Exus" or "TAQA" or "Arthian" or "iSquared" or "Valeon") AND ("battery" or "BESS" or "Long Duration Electricity Storage" or "LDES" or "data centre" or "campus" or "AI" or "compute" or "Morocco" or "Moroccan") since April 1, 2019*

Both requests to include all communications and documents, including and not limited to all concerning:

- (1) requested import and export/storage capacity, current status, Gate 1/Gate 2 status where applicable, and whether a connection offer has been made/accepted;*
- (2) technical records including assessing whether approximately 1.5GW-1.8GW data-centre demand and the proposed BESS can be accommodated, including material constraints and reinforcement requirements;*
- (3) interaction with connection/capacity previously associated with the Xlinks Morocco-UK project, including possible retention, amendment or repurposing;*
- (4) proposed connection in light of NESO material identifying no available capacity to connect at the Alverdiscott 400kV interface.*

Summary response

We confirm that we hold information in scope of your request i.e., communications and documents that contain the search terms you have provided in your request. However, we are refusing your request under the exception in Regulation 12(4)(b) of the EIR which allows a public authority to refuse a request where it is manifestly unreasonable.

We are not suggesting your intention is unreasonable, but we have concluded that responding to the request would impose a disproportionate burden on NESO. Burden in this context can be thought of in terms of cost, including the cost of staff time spent dealing with a request. It can also take account of the distraction of resources, i.e. the disruption to the delivery of other services caused by staff having to spend time dealing with the request.

Although we are unable to respond to your specific request, we have provided information in the advice and assistance section of this request that we hope you find useful should you wish to submit a new or refined information request

Reasons for applying Regulation 12(4)(b)

The Information Commissioner's Office (ICO) advice is that public authorities should respond based on the wording of the request itself. We have run two searches across NESO's centralised IT systems for emails and documents containing the specific search terms and date ranges you provided in the first part of your information request:

- a. ("Xlinks" or "Stratus" or "Solar Ventus" or "Exus" or "Valeon" or "Nexus")
 - since April 1, 2024

- b. (“Xlinks” or “Stratus” or “Exus” or “TAQA” or “Arthian” or “iSquared” or “Valeon”) AND
 (“battery” or “BESS” or “Long Duration Electricity Storage” or “LDES” or “data centre” or
 “campus” or “AI” or “compute” or “Morocco” or “Moroccan”)
 - since April 1, 2019

These searches returned a very large number of results, more than 290,000 for the first search and over 53,000 for the second, all of which were items held in mailboxes. The search results will include any email that itself matches the search terms or contains an attachment that does.

We further refined the search to include only communications between NESO and the companies you have named in your request (i.e., by limiting the search by domain name where held) and have run analytics on the results to remove duplicate results. Although this substantially reduced the number of results the combined results for the two searches following this process totalled over 160,000 items. We did not further refine the searches as in your request you asked for ‘*all communications and documents, including and not limited to*’ ... the subject matter in your points (1) to (4).

Given the nature of your request, each of those over 160,000 items may be considered to be in scope of your request. To respond to your request we would be required to review each individual item to determine whether a) it is indeed in scope; b) whether it is all / partially disclosable and c) if an exception to disclosure provided by the EIR may be applicable – as much of the information is likely to relate to individual projects or developers it is likely that an EIR exception would apply to at least some of the information.

ICO guidance acknowledges that a request can impose a significant burden where it requires a public authority to sift through a large volume of material, isolate relevant information, and consider exceptions and redactions. Unlike the Freedom of Information Act 2000 (FOIA), where Section 12 allows for the refusal of a request where compliance would exceed 18 hours of staff time, the EIR do not have a cost limit. However, the ICO guidance sets out that, whilst the FOI fees regulations do not apply to requests made under the EIR and public authorities may be required to accept a greater burden when providing environmental information, “*we take these regulations to give a clear indication of what Parliament considered to be a reasonable allocation of resources when dealing with requests in terms of staff time*”.

To review all items returned by the searches would greatly exceed the 18 hours of staff time that is the cost limit for requests managed under the FOIA and we have therefore determined that to respond to your request would represent a substantial burden on NESO.

Public interest test

The exception in regulation 12(4)(b) is subject to the public interest test.

NESO is mindful that the EIR require us to apply a presumption in favour of disclosure and there is a general public interest in NESO as a public corporation being transparent and accountable. There is also a public interest in energy projects, the companies that develop them and the processes behind their development, particularly where the construction and development of such projects may have an impact on local areas.

Public authorities must however be protected from any disproportionate burden which requests for information may impose. A request for all documents and correspondence containing company names and other terms does not have an immediately obvious value or purpose. It is likely that the resource required to review the information would not be proportionate to any value obtained from disclosure, should we determine that any information in scope of your request could be disclosed. It is not in the public interest for NESO's resources to be diverted away from its public tasks and licensed activities where the burden of responding would be excessive.

Taking these factors into account, we have concluded that the public interest lies in maintaining the exception in Regulation 12(4)(b). To review the search results further would place a significant and disproportionate burden on NESO.

We have considered whether it would be more appropriate to extend the time for responding under Regulation 7(1) of the EIR. We have concluded that an extension would not resolve the burden in this case.

This concludes our response to your request.

Advice and assistance

We are required under Regulation 9 of the EIR to provide advice and assistance to applicants and prospective applicants as far as it is reasonable for us to do so. You may wish to submit a new or refined information request, and we hope that the following information may assist you to do so.

We consider all information requests on a case-by-case basis, to firstly determine whether we hold recorded information in scope of a specific request and secondly to consider whether any of the information that is held is exempt from disclosure under the legislation. Information on the exemptions provided by the legislation is available on the NESO website ([Freedom of Information and Environmental Information Regulations | National Energy System Operator](#)) and from the ICO ([What to expect after making an information request | ICO](#)).

Your request as submitted was very broad, as you provided us with a list of search terms and stated that your request was for all correspondence and documents containing those terms, and not to be limited to the more specific topics you listed in parts (1) to (4) of your request. Should you wish to submit a refined request you may wish to be more specific on the subject matter of the correspondence and/or documents that you are interested in and may want to consider a more limited time period for your request.

It may be helpful for you to see how we have responded to previous information requests relating to network infrastructure at Alverdiscott and a proposed data centre project. All our responses to requests managed under the EIR and the FOIA are published on NESO's [disclosure log](#). We have provided below direct links to responses we think you may be interested in:

- [FOI-26-097](#)
- [FOI-26-104](#)
- [FOI-26-115](#)
- [FOI-26-136](#)
- [FOI-26-173](#)

These responses provide information on the recorded information NESO and other organisations within the energy sector may hold, and on which information we have previously determined is exempt from disclosure. The linked responses also include information on the role of NESO and other organisations within Great Britain's energy sector.

The ICO and What Do They Know both provide guidance on submitting information requests to public authorities:

- [Writing effective requests – WhatDoTheyKnow](#)
- [How to write an effective request for information | ICO](#)

Next steps

If you would like to submit a new or refined information request, we will consider any such request in compliance with the EIR and/or the FOIA and respond as soon as possible and within the 20-working day response time provided by the legislation.

If you are dissatisfied with our handling of this information 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)