

# Information Request Notice

[Ref No and Title of Information Request]

FAO: [Name or Role of Contact  
Business Address 1  
Business Address 2]

Dear [Sir/Madam],

**Information Request Notice requiring the production of specified information under Section 172 of the Energy Act 2023 in relation to [insert title of the request].**

This letter accompanies a formal Information Request Notice under Section 172 of the Energy Act 2023 requiring [Company Name, Company Number (if applicable)] (“you”) to provide the information set out in Appendix 1 to the National Energy System Operator (“we, us”).

## Background and Context

National Energy System Operator (NESO) is a new, independent, public corporation that will be responsible for planning Britain’s electricity and gas networks and operating the electricity system. NESO will have operational independence from government and is committed to transparency and accountability.

The Information Request attached to this letter has been issued in exercise of NESO’s power under section 172 of the Energy Act 2023, as the designated independent system operator and planner, to request information from a person in connection with the exercise of any of NESO’s functions.

[Specify which NESO function/statutory duty is related to the request.]

Outline background information about the request – for example, has the information been asked for previously, is it similar to other information, is further detail required on a larger set of data or information.]

## Your Response

The information specified in Appendix 1 must be provided in the format, at the time, to the relevant persons and via the method specified in the Information Request Notice.

The request should be reviewed in advance of the deadline, considering the response and the available data, allowing sufficient time for any queries to be resolved.

If any clarifications are required, please contact the specified email address in the Notice. NESO will work with you to provide the necessary explanations. You must consider and review these thoroughly and provide an accurate response. Where deemed appropriate, the Information Request Notice and its deadline may be amended to reflect the clarifications made.

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If the deadline cannot be met, you need to inform NESO as soon as reasonably practicable with a clear explanation. Extensions may be granted on a case-by-case basis, where appropriate grounds are provided.

If you do not hold the requested information, an explanation of why this is the case should be provided.

Once you submit the formal response, NESO will acknowledge its receipt and carefully analyse and assess the data provided. If it meets the set requirements, you will be issued a formal confirmation that the Information Request Notice is closed, and no further action will be necessary in response to this request. The time between the acknowledgement of receipt and the confirmation of no further action will vary depending on the intended use of the information and the length of the activity or analysis.

Where NESO determines that the response does not fully satisfy the Notice requirements (for example, failing to answer one or more questions or providing only part of the information requested), this will be communicated to you. You must submit a revised response to address the necessary rectifications.

NESO may amend or withdraw this Information Request Notice, where there is a relevant change in circumstances.

Should you fail or refuse to comply with this statutory request so far as reasonably practicable, or provide false or misleading information, a formal escalation process may be launched. This can lead to enforcement action or civil proceedings.

Specifically, if a regulated person fails to comply with this Information Request Notice, this is enforceable by Ofgem under the Electricity Act 1989 (for electricity regulated persons) and the Gas Act 1986 (for gas regulated persons), in accordance with Ofgem's enforcement guidelines.

In the case of non-regulated persons, civil proceedings may be pursued in accordance with the Energy Act 2023 leading to an injunction, an order for specific performance of a statutory duty, or any other appropriate remedy or relief.

## Confidentiality and Disclosure

### Data Privacy

To the extent that information provided in response to the Notice may contain personal identifiable data, this is to be highlighted accordingly by the Notice recipient.

Any such personal data will be covered by the UK General Data Protection Regulation and the Data Protection Act 2018 and NESO will be the data controller. Such information will be treated confidentially in line with our Data Code of Conduct.

### Freedom of Information Act and Environmental Information Regulations

NESO is subject to the Freedom of Information Act (FOIA) 2000 and the Environmental Information Regulations (EIR) 2004 which provide a general right of access to information held by NESO, and this may include information obtained through this process. There are some exemptions to the right of access which allow organisations to withhold information from disclosure. When responding to an FOI or EIR request, NESO will generally consult with the third party that has provided the information in order to determine the confidentiality and sensitivity of the information and to identify any exemptions that may apply prior to the release of information. This is in line with the [FOI Code of Practice on Request Handling](#). However, it is ultimately for NESO to take the final decision on release following any consultation it undertakes (subject to any determination by the Information Commissioner's Office).

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When responding to an FOI or EIR request and identifying any exemptions that may apply, NESO will consider whether the information may be subject to restrictions on disclosure, for example under the Utilities Act 2000 or under the conditions of NESO's licences.

NESO will also consider whether the information is commercially or business sensitive, or whether it could harm national security or the safety of individuals. Sensitive information of these kinds should be identified by the Notice recipient when the information is submitted to NESO.

### **Data Transmission, Usage, Retention, and Storage**

The Information Request Notice will specify the data transmission method, which will be appropriate to the sensitivity of the material being supplied. The information can be requested to be sent via email with or without encryption, via cloud storage, via secure transfer services, or, where related to national security, to be sent to NESO colleagues with National Security Vetting clearance, relevant contact details will be provided accordingly.

To evidence the decisions reached as a result of the information provided through the Information Request Notice process, NESO will retain this information for 6 years<sup>1</sup>. The data is handled and stored in accordance with NESO's data policy which complies with Ofgem's Data Best Practice Guidance.

Yours sincerely,

[NESO signatory]

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<sup>1</sup> [NESO's Licence Condition D2, Part C]

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Contact Name

Contact Address

Contact Organisation

## Information Request Notice

### Request for Information Pursuant to Section 172 of the Energy Act 2023

Pursuant to Section 172 of the Energy Act 2023, National Energy System Operator (NESO), requires [insert contact name] to provide all the information which is specified or described in Appendix 1 of this Information Request Notice.

[Specify the material to be provided]

[Specify the purpose/intended use of the requested information]

[Specify how the material is to be shared with NESO – for example, is it to be emailed, any encryption, any cloud, or other secure services to be used, if related to national security needs it is to be sent to NESO colleagues with National Security Vetting (NSV) and provide the respective NSV contact email address(es)]

[Specify by when the information should be provided]

[If possible, specify how long it will take to conclude the analysis and confirm that the Notice is closed, and no further action is required]

Please acknowledge receipt of this Information Request Notice. If you have any questions or require any clarifications, please contact [box.informationrequest@nationalgrideso.com](mailto:box.informationrequest@nationalgrideso.com).

Yours sincerely,

[Sign and date]

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## Appendix 1 – Required Information

1. Please send list of [xyz]
2. Please send a description of [abc]
3. Please send a diagrammatic version of [123]
4. Please send copies of documents previously shared informally.
5. For each of the items listed above please confirm if in your opinion it will [improve x situation] or [lead to y].