

Public

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Dear requester

### **Request for Information**

Thank you for your request for information which we received on 18 November 2024. Your request has been considered under the Freedom of Information Act 2000 (FOIA).

### **Request**

You asked us:

*I would like to make the following request under the Freedom of Information Act and also under the Environmental Information Regulations.*

*On 5 November, NESO published its advice on achieving clean power by 2030. This followed from a letter dated 23 August from the Secretary of State and Chris Stark asking for this advice to be produced.*

*In the intervening ten weeks or so, I understand there was significant close working between NESO staff and DESNZ officials, including on assumptions to underpin the work, questions of technical feasibility, and on the presentation of the report.*

*I would like to request copies of all correspondence between NESO staff and DESNZ officials in the period 23 August to 5 November 2024 relating to the clean power 2030 advice. This should include emails, records of telephone calls and records of video call meetings.*

## **Our response**

We can confirm that we hold information which falls within the scope of your request. However, we estimate that the cost of meeting your request would exceed the appropriate cost limit of £450 specified in the [Freedom of Information and Data Protection \(Appropriate Limit and Fees\) Regulations 2004](#). This equates to 18 hours of staff time spent in determining whether NESO holds the requested information, and locating, retrieving and extracting it, calculated at a standard rate of £25 per hour. Under Section 12 of the FOIA, NESO is therefore not obliged to comply with your request and we will not be processing it further.

In order to complete a full search for all relevant information required for a response to your request, we would need to conduct an electronic search of email, calendar and Microsoft Teams records which would be undertaken centrally and also a search for unstructured data including electronic and handwritten records of calls and meetings held by staff involved in the Clean Power 2030 project.

Our records show that at least 183 colleagues were involved in the Clean Power 2030 project. Whilst not all will have been engaging with DESNZ on the project, in order to ensure that we have identified all information falling within the scope of your request, we would need to ask each employee to check their records and extract relevant records. Even estimating for an average of just 10 minutes per person, the searches for the unstructured data would total 31 ½ hours.

The forensic IT search would then be in addition to this time period. We have carried out an initial search of mailbox data held on the Microsoft tenant received from or sent to a DESNZ domain within the relevant time period. This resulted in a substantial volume of data, some of which will not relate to Clean Power 2030. We would need to conduct a deduplication and email threading process which the digital forensics team estimate would take 4-8 hours of staff time to complete and then limit or filter the request to the 183 NESO staff users which would take a similar amount of time. We would then need to sift the records to remove any information that did not relate to Clean Power 2030. Keyword searches of "Clean Power 2030" or "CP30" would limit the data, but may miss some records, e.g. those with different subject lines and those on specific technical areas.

## **Advice and assistance**

Under Section 16 of the FOIA we should provide advice and assistance so far as it would be reasonable to expect a public authority to do so, in order to help you refine your request so that it falls within the appropriate cost limit. Given that your request was for all correspondence and records of calls it is difficult to offer meaningful advice on how you could refine your request in such a way that it would fall within the appropriate cost limit. You may be able to provide a more limited request in terms of the scope of information and subject matter of the correspondence. You are not required to explain the purpose of the request when submitting a Freedom of Information request, but if you can provide further detail about the nature of the exchanges that you are interested in, we may be able to assist further.

## **Conclusion**

We will consider any revised request that you submit as a new request. Please note that the Freedom of Information Code of Practice states that “public authorities do not have to search for information in scope of a request until the cost limit is reached, even if the applicant requests that they do so.

The Information Commissioner’s Office (ICO) publishes various guidance on accessing information held by public authorities. You may find this guidance helpful: [How to access information from a public authority | ICO](#).

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](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)