

Public

Ref: FOI/26/136

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24 August 2026

Dear requester

Request for Information

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

Request

You asked us:

I am writing to submit a formal request regarding transmission capacity allocations and connection agreement statuses at the Alverdiscott 400kV / 132kV substation node in Devon. Specifically, this request relates to infrastructure proposals brought forward by Xlinks First Ltd (or its subsidiary/associated entities trading as "Valeon" or the "Devon Data Campus").

Please provide the following information:

1. **Connection Modification Status:**
 - *Confirm whether Xlinks First Ltd (or associated project entities) has submitted, or had approved, a Material Modification Application to alter their existing Alverdiscott connection agreement from a Generation/Import profile (associated with an interconnector) to a Demand/Consumption profile to service a data centre asset.*
2. **Current Transmission Entry Capacity (TEC):**

- *Confirm the current precise classification of Xlinks' slot on the active TEC Register at Alverdiscott, specifically stating whether it remains strictly categorized under "Generation" or if a new "Demand Connection Agreement" has been formally executed.*
3. *Queue Management Review:*
- *Confirm if the capacity allocated to Xlinks at Alverdiscott is currently undergoing review under NESO's updated Queue Management and connection reform policies regarding stalled or fundamentally altered project scopes.*

Our response

The Environmental Information Regulations 2004 (EIR) require public authorities subject to the legislation to respond to information requests by:

- confirming whether recorded information in scope of a request is held at the date a request is received; and
- disclosing that recorded information, unless an exception provided by the legislation applies.

We can confirm that NESO holds recorded information in scope of your request and in response to questions 2 and 3 have provided advice on publicly available information. NESO will not provide any further information relating to specific developers or their projects other than that which is made publicly available. This includes the disclosure of information relating to whether or not a developer has submitted a modification application in relation to a connection agreement that they currently hold with NESO.

We are therefore refusing question 1 of your request under Regulation 12(5)(e) of the EIR, which 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. We have provided further information on the engagement of this exception at the end of this response letter.

You have asked in question 2 for recorded information in scope of *'the current precise classification of Xlinks' slot on the active TEC Register at Alverdiscott, specifically stating whether it remains strictly categorized under "Generation" or if a new "Demand Connection Agreement" has been formally executed.'*

The [TEC Register](#) is a publicly available list of projects that hold contracts for Transmission Entry Capacity (TEC) with NESO. These include existing and future connection projects and projects that can be directly connected to the National Electricity Transmission System (NETS) or make use of it. As you are aware, on the current TEC Register (checked 24 August 2026), there are two projects

with customer name 'Xlinks 1 Ltd' and plant type 'Interconnector' (projects PRO-001344 and PRO-001345).

The TEC Register is published twice weekly, and is updated when contracts are signed, modified or terminated, and when it is confirmed to us via established channels that contractual milestones are met.

You have asked in question 3 whether *'the capacity allocated to Xlinks at Alverdiscott is currently undergoing review under NESO's updated Queue Management and connection reform policies regarding stalled or fundamentally altered project scopes.'*

All existing connection agreements have been reviewed in line with Connections Reform and Queue Management policies. Any changes, including those made following submission of a modification application, will be reflected in public datasets once agreements have been countersigned.

The two interconnector projects are listed on the public [Existing Agreements Register](#). This is a static dataset (i.e., it will not be updated) that details all projects that applied for "Gate 2" in the Connections Reform process (where consent was given for inclusion in the EA Register). The Register does not outline any outcomes or results of the reform process. The projects are named 'Alverdiscott' and 'Alverdiscott 2' on the EA Register.

For information, NESO, in collaboration with the networks, industry, government and Ofgem has delivered a transformational change to the way that the grid connections process operates. Information on Connections Reform is available here:

- [Connections Reform | National Energy System Operator.](#)
- [About Connections Reform | National Energy System Operator](#)

A key part of the reform was the introduction of the new Gate 2 to Whole Queue (G2TWQ) process, an evidence-based approach that ensured projects were assessed fairly and consistently against the latest Gate 2 criteria and strategic energy plans, enabling NESO, Distribution Network Operators (DNOs), and Transmission connected Independent DNOs (iDNOs) to determine which projects are ready to connect and align with the UK's long-term energy needs. To progress through the queue, developers were required to demonstrate both readiness and alignment with one or more strategic criteria.

The Gate 2 Criteria Methodology and Connections Network Design Methodology can be found here: [Connections Reform design documents and methodologies](#). Information on Gated

Modifications has been provided here: [Gated Modification Guidance | National Energy System Operator](#).

On 8 December 2025 NESO began informing Customers of the outcome of their applications and published the results of the new connections delivery pipeline. Further detailed results data was published in January 2026. The published information provides a high-level view of the reformed pipeline. NESO will not be disclosing information on the status of individual projects at this time:

- [Connections Reform Results | National Energy System Operator](#).
- [Connections Reform: Detailed Results Data](#)

On 13 February 2026 NESO, Transmission Owners (TOs), Distribution Network Operators (DNOs) and wider delivery partners jointly confirmed updates to the delivery timeline for Connections Reform: [Connections reform timeline | National Energy System Operator](#).

Note re the engagement of the exception provided by 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.

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, storage and demand projects and are independent of NESO and the respective transmission and distribution network owners (TOs and DNOs). Given the competitive arena in which such projects are developed and implemented, a developer would not expect their commercial information to be made available to the public.

For information, 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 the development of energy projects, 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. NESO will not publish information where there would be an adverse effect on any party.

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 has ensured that it has been as transparent as possible through the Connection Reform process and routinely makes some information publicly available e.g., through the TEC Register and the Existing Agreements Register (further information on these registers is provided in response to question 2 below). 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.

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. 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)