

Public

Ref: FOI/26/165

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Dear requester

Request for Information

Thank you for your request for information which was received by NESO on 12 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:

Ofgem's consultation Curate — Demand Connections Reform (29 July 2026) sets out at paragraphs 2.3 and 2.4 the evidence base for its analysis of the demand connections queue, identifying three NESO data holdings. My request concerns those holdings.

....

I would like to request the following:

- 1. The project-level data collected through NESO's mandatory Information Request Notice to demand projects in the transmission queue, issued on 13 March 2026, as cited at paragraph 2.4 of the Ofgem consultation. For each project, the fields NESO holds — including project name, customer name, connection site, contracted capacity in MW, contracted connection date, project status, gate stage, sector or technology classification, and any declared financial commitment or investment decision status.*

2. *The project-level data underlying NESO's voluntary Call for Input on the demand queue issued in November 2025, summarised in NESO's Demand Call for Input – High Level Summary (March 2026).*
3. *The project-level data on distribution demand queues collected by distribution network operators in March 2026 and aggregated by NESO, as described at paragraph 2.4 of the same consultation.*
4. *The underlying queue history that would allow the identification of projects which changed technology classification to data centre. For example, Ofgem states at paragraph 2.10 of the same consultation that "between May 2024 and August 2025 at least 9 GW of data centres in the transmission queue had modified their connection request from a 'battery' technology to data centre".*
Please provide a list of projects that have changed classification, with previous and current technology type, capacity in MW, and the date of each change. We also understand that some projects have been initially described as "storage" (e.g. planning class B8), though I recognise such plans may not appear on your radar at all.
5. *A description of how NESO records or assigns the sector or technology classification of a demand connection project: the field name, the permitted values, and whether the classification is self-declared by the customer or determined by NESO.*

Note

In your request you have stated:

'Ofgem's consultation Curate – Demand Connections Reform (29 July 2026) sets out at paragraphs 2.3 and 2.4 the evidence base for its analysis of the demand connections queue,' and

'Ofgem states at paragraph 2.10 of the same consultation that "between May 2024 and August 2025 at least 9 GW of data centres in the transmission queue had modified their connection request from a 'battery' technology to data centre".'

We note that, as accessed on 9 September 2026, the respective paragraphs in the consultation document are 2.3 and 2.9.

Questions 1 to 4

We can confirm that we hold recorded information in scope of questions 1 to 4 of your request, namely:

- project-level data collected through NESO's mandatory Information Request Notice to demand projects in the transmission queue
- project-level data underlying NESO's voluntary Call for Input on the demand queue i.e., the responses to the CfI and used to produce the Demand Call for Input – High level summary

- project-level data on distribution demand queues collected by distribution network operators, as provided to NESO and subsequently shared with Ofgem
- list of projects that have had a modification application contracted/granted for a change from battery storage (BESS) to data centre.

We consider that disclosure of information about individual projects, where that information has not been made publicly available, would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest. We are therefore engaging the exception provided at Regulation 12(5)(e) of the EIR and withholding from disclosure the project-level information that you have requested in questions 1 to 4. We have provided further information on the engagement of this exception at the end of our response.

We have considered whether we can provide aggregated information in scope of your request:

- As you are aware, aggregated information on the responses to the CFI is available here: [Demand Call for Input - High level summary](#).
- NESO is in the process of finalising a Demand Information Request Notice Analysis document that will be made publicly available. As this document is in the course of completion, we have determined that this high-level summary of the responses to the IRN is exempt under Regulation 12(4)(a) of the EIR. Information on the engagement of this exception is provided at the end of this response.
- We have previously responded to two requests for information on applications for existing battery storage (BESS) connection agreements, requesting modification to a co-location BESS plus Data Centre Connection, or Data Centre connection agreement. Our responses to these requests are enclosed and are also available on NESO's disclosure log:
 - [FOI-25-294 \(Internal Review\)](#)
 - [FOI-26-121](#)

Question 5

A description of how NESO records or assigns the sector or technology classification of a demand connection project: the field name, the permitted values, and whether the classification is self-declared by the customer or determined by NESO.

We do not hold recorded information directly in scope of this question i.e., recorded information that includes a description of how NESO records or assigns the sector or technology classification of a demand connection project. We are therefore refusing this part of your request under Regulation 12(4)(a) of the EIR.

We can advise that Customers with projects that will connect to the transmission network provide information on the technology of their projects when they submit a connection application via the Connections Portal. Customers responding to the Cfl and IRN also provided information on the technology of their project.

For information, the only categorisation used within the existing delivery pipeline (queue) and connection outcome data sets is for 'transmission connected demand', with no further categorisation within those datasets. The further categorisation of transmission connected demand projects is under consideration as part of NESO's Strategic Demand Initiative (in development, in collaboration with Ofgem, the Department of Energy Security and Net Zero and networks) and is not yet reflected in operational datasets.

Engagement of exemptions provided by the EIR

- 12(4)(a) -

The EIR only apply to information held by the public authority at the time that the request for information is received (Regulation 3). Where we do not hold recorded information in scope of your request, we are engaging Regulation 12(4)(a) of the EIR, which allows a public authority to refuse a request if it does not hold that information when an applicant's request is received. All EIR exceptions are subject to a public interest test (PIT) however the Information Commissioner's Office (ICO) recognises that it is not possible to carry out a meaningful PIT where information is not held.

- 12(4)(d) -

Regulation 12(4)(d) of the EIR allows for an organisation to refuse disclosure of information which is still '*in the course of completion, to unfinished documents or to incomplete data*'. As above, we are engaging this exception in relation to the upcoming Demand Information Request Notice Analysis, which is a high-level analysis of the responses to the IRN which we have considered for disclosure as it provides aggregated information on responses received.

We are required to complete a public interest test for all EIR exceptions. As always, we are mindful of the presumption in favour of disclosure and the general public interest in transparency and accountability.

We acknowledge that there is ongoing public interest in and debate around demand connections. We recognise that the disclosure of this information when published will assist the public's understanding of the demand connection pipeline as provided through responses to the IRN. It is not, however, in the public interest to release information which is in the course of

completion as this could result in public misinformation. There is a strong public interest in NESO being able to finalise the analysis as quickly as possible and publish it once it has been through appropriate quality assurance processes without resources having to be diverted to managing queries about draft/incomplete data. On balance, and because this is a document that will be made publicly available once it is finalised, we have concluded that the public interest lies in maintaining the exception at Regulation 12(4)(d) and are withholding information still in the course of completion.

- **12(5)(e)** -

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 consequences to the developers' commercial interests.

Information in scope of question 3 has been provided to NESO in confidence by the DNOs and constitutes commercial information as it is at project level. NESO collated this information and provided to Ofgem at project level, no further aggregation nor analysis was carried out by NESO on this dataset.

Commercial companies develop energy projects and are independent of NESO and the other organisations that make up Great Britain's energy system. Developing demand projects is a competitive process, both for the rights to connect to the transmission and distribution networks, and also for funding from investors and any available government funding where applicable.

Given the competitive arena in which such projects are developed and implemented, a developer would not expect their commercial information to be published, particularly whilst offers continue to be issued following the conclusion of the Connections Reform Gate 2 to Whole Queue process.

NESO currently does not publish a demand register in the same way that we publish the TEC Register and there is no requirement for us to do so under the CUSC. As part of NESO's Strategic Demand Initiative a demand register is under consideration. As it is yet to be determined what information relating to demand projects would be included within such a register, we do not

currently publish project level information on transmission connected demand projects, and we therefore consider this information to be commercially sensitive.

For information, and as an example of the expectation of confidentiality, Customers were advised that information they provided in response to the IRN would be treated confidentially, used solely to inform demand pipeline reform and related policy development, and not used to disadvantage any individual project.

For projects for which a connection agreement is held with NESO, we are bound by the confidentiality obligations under the Connection and Use of System Code (CUSC) and cannot share the specific terms put in place with a developer. [Connection and Use of System Code \(CUSC\) | National Energy System Operator.](#)

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 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 and Customers have not been asked whether they consent to the disclosure of any project level information that is in scope of this request.

NESO ensures that it upholds as far as possible the presumption of disclosure under EIR and recognises the general public interest in public organisations being accountable and transparent. The disclosure of information in many circumstances may increase public understanding of decision making and facilitate effective public participation. We understand that there is growing interest in demand connections, including data centres, across Great Britain, and that there is a public interest in understanding their potential impact on electricity demand and the local areas in which projects are planned.

There is a however a public interest in ensuring no developers are materially disadvantaged through the disclosure of confidential commercial information and in maintaining fair and effective competition within the energy market. 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.

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 the public.

Having weighed up the public interest arguments, our opinion is that the public interest lies with maintaining the exception, and we are refusing to disclose information in scope of this request at individual project level.

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)