

## Consultation

# **RESP - Policy consultation on licence modifications**

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|--------------------|-------------------|
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We are consulting on proposed modifications to the Electricity System Operator Licence, Gas System Planner Licence, the Standard Conditions of the Electricity Distribution Licence and Part D of the Standard Special Conditions of the Gas Transporters Licence, to implement. We are also consulting on the RESP Guidance an Associated Document that accompanies the proposed licence modifications.

This document outlines the scope, purpose and questions of the consultation and how you can get involved. Once the consultation is closed, we will consider all responses. We want to be transparent in our consultations. We will publish the non-confidential responses we receive alongside a decision on next steps on our website at <a href="https://organicarchy.com

If you want your response – in whole or in part – to be considered confidential, please tell us in your response and explain why. Please clearly mark the parts of your response that you consider to be confidential, and if possible, put the confidential material in separate appendices to your response.

#### **Consultation** – RESP - Policy consultation on licence modifications

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## **Executive summary**

## **Purpose and scope**

Following our April 2025 Decision on the Regional Energy Strategic Plan (RESP) Policy Framework, <sup>1</sup> the purpose of this consultation is to consult on the proposed licence conditions and RESP Guidance to implement the RESP.

## **Proposals**

We are proposing a new obligation for the Independent System Operator and Planner ("ISOP", also known as the National Energy System Operator or "NESO") to develop and deliver the RESP. This will be achieved through modifications to NESO's Electricity System Operator (ESO) and Gas System Planner (GSP) licences.

We are also proposing to introduce a requirement for the Distribution Network Operators (DNOs) and Gas Distribution Networks (GDNs) to participate and support NESO in the development of the RESP. To do this we are proposing modifications to the Standard Licence Conditions of the Electricity Distribution Licence and Part D of the Standard Special Conditions of the Gas Transporter Licence.

We are also proposing the RESP Guidance as an Associated Document which will provide further detail of obligations on and expectations of NESO, DNOs and GDNs in the development of the RESP. The RESP Guidance contains two parts: Part A – NESO Guidance and Part B – DNO & GDN Guidance. The RESP Guidance will include, but is not limited to, details on the requirements for delivering the RESP outputs, RESP governance arrangements, and details of requesting and sharing Intelligence.

## **Next Steps**

Following this consultation, we will consider the responses and continue to develop the proposed licence conditions and RESP Guidance. We intend to carry out a further statutory consultation in September 2025 and aim to publish our decision in October 2025. Dependent on the outcome of this consultation, the proposed licence modifications should come in to effect in December 2025.

<sup>&</sup>lt;sup>1</sup> Regional Energy Strategic Plan policy framework decision: <u>Regional Energy Strategic Plan policy framework decision | Ofgem</u>

### 1. Introduction

This section provides background on the need for the RESP and summarises our policy framework decision, published in April 2025. It also provides an overview of what we will be consulting on in this document and our next steps following this consultation.

## **Background**

- 1.1 As the UK transitions to net zero, reforming how we plan our energy infrastructure is essential to meeting the 2030 targets and delivering a clean and secure energy system for the long term. To support this, we introduced the RESP in April 2025 a new framework designed to enhance accountability and coordination in the strategic planning of the distribution network. This framework builds on our review of local governance and institutional arrangements.<sup>2</sup>
- 1.2 The purpose of the RESP will be to develop a strategic view of the future of the energy system at a sub-national level and set the direction of distribution network planning. The scope is limited to the distribution level of the system; however, NESO should consider the wider context of the energy system and particularly boundary interactions with the transmission system.
- 1.3 RESPs will be developed and delivered by NESO in 11 RESP Regions across Great Britain (GB). NESO will bring together regional stakeholders to form a shared vision for how the energy system should evolve, aligning local priorities with national objectives. By coordinating development across multiple energy vectors, RESP will help enable confident, efficient investment in the journey to net zero.
- 1.4 In our April 2025 decision, we outlined the approach which would implement the framework. This included modifications to NESO's licences alongside the GDNs' and DNOs' licences, and a RESP Guidance document to compliment these proposed licences.

#### What are we consulting on

1.5 We are consulting on proposed modifications to NESO's ESO and GSP licences as well as the Standard Licence Conditions of the Electricity Distribution Licence, and Part D of the Standard Special Conditions of the Gas Transporter Licence.

<sup>&</sup>lt;sup>2</sup> Decision on future of local energy institutions and governance: https://www.ofgem.gov.uk/decision/decision-future-local-energy-institutions-and-governance

- These are included in this consultation as annexes, alongside the proposed RESP Guidance Associate Document.
- 1.6 The proposed licence conditions will ensure NESO, DNOs and GDNs comply with the RESP policy framework. The RESP Guidance will set out further detail on how NESO, DNOs and GDNs must fulfil licence obligations. This includes contributing to the development of the RESP Methodology and the creation of RESPs.
- 1.7 These conditions are in draft format, and we recognise that further refinement may be required. This consultation will be followed by a statutory consultation (in respect of the licence modifications) under s11A of the Electricity Act 1989 and s23 of the Gas Act 1986. This consultation is an opportunity for stakeholders to provide feedback on the proposed licence modifications.
- 1.8 The proposed modifications to the licences and RESP Guidance document are included as annexes to this consultation:
  - Annex A: Proposed Modifications to the Energy System Operator Licence
  - Annex B: Proposed Modifications to the Gas System Planner Licence
  - Annex C: Proposed Modifications to the Standard Licence Conditions of the Electricity Distribution Licence
  - Annex D: Proposed Modifications to Part D of the Standard Special Conditions of the Gas Transporters Licence
  - Annex E: Proposed RESP Guidance document
- 1.9 We are proposing the changes to the following DNO licences:

| Acronym | Group                                       | Licensees (and acronym)  |  |
|---------|---|--|--|
| ENWL    | Electricity North<br>West Limited           | Electricity North West Limited (ENWL)  |  |
| NPg     | Northern Powergrid                          | Northern Powergrid: Northeast (NPgN)  Northern Powergrid: Yorkshire (NPgY)   |  |
| SPEN    | Scottish and<br>Southern Energy<br>Networks | Scottish and Southern Energy Power Distribution: Scottish Hydro Electric Power Distribution (SSEH)  Scottish and Southern Energy Power Distribution: Southern Electric Power Distribution (SSES) |  |
| SSEN    | Scottish and<br>Southern Energy             | Scottish and Southern Energy Power Distribution:   |  |

|      | Networks                                     | Scottish Hydro Electric Power Distribution (SSEH)  Scottish and Southern Energy Power Distribution: Southern Electric Power Distribution (SSES)  |
|------|--|--|
| UKPN | UK Power Networks                            | UK Power Networks: London Power Networks (LPN)  UK Power Networks: South East Power Networks (SPN)  UK Power Networks: Eastern Power Networks (EPN)  |
| NGED | National Grid<br>Electricity<br>Distribution | National Grid Electricity Distribution (West Midlands) plc (WMID)  National Grid Electricity Distribution (East Midlands) plc (EMID)  National Grid Electricity Distribution (South Wales) plc (SWALES)  National Grid Electricity Distribution (South West) plc (SWEST) |

## 1.10 We are proposing the changes to the following GDN licences:

| Acronym | Group                               | Licensee (and acronym)  |
|---------|-------------------------------------|---|
| Cadent  | Cadent Gas Limited                  | Cadent Gas Limited  |
| NGN     | Northern Gas Networks<br>Limited    | Northern Gas Networks Limited (NGN)                             |
| SGN     | SGN                                 | Scotland Gas Networks plc (SGN) Southern Gas Networks plc (SGN) |
| WWU     | Wales and West Utilities<br>Limited | Wales and West Utilities Limited (WWU)                          |

## **Next steps**

1.11 This consultation will be open for 4 weeks until 8 August 2025. Feedback will inform our development of the RESP licence conditions and RESP Guidance, ahead of the statutory consultation we intend to carry out in the early autumn. Following the outcome of the statutory consultation we will publish our decisions on the licence modifications, and NESO will consult on their RESP Methodology.

## 2. Proposed modifications to the Electricity System Operator and Gas System Planner Licences

This section sets out our proposed modifications to both the ESO and GSP Licences to formally introduce the role of the RESP delivery body to NESO.

We have set out the proposed definitions, and the effect the licence changes aim to have. Alongside this we have set out what is to be included in the associated RESP Guidance document.

### Questions

- Q1.Do you agree that the new definitions, as set out in paragraphs 2.4 2.14, adequately reflect the policy intent of the RESP? Please provide the reasons and any alternative suggestions if you disagree.
- Q2.Do you agree that the new licence text, as set out in Annexes A and B, adequately reflects the policy intent of the RESP? Please provide the reasons and any alternative suggestions if you disagree.
- Q3.Do you agree that the content of the RESP Guidance, as set out in paragraph 2.19, adequately defines the expectations for NESO in their development of the RESP?

  Please provide the reasons and any alternative suggestions if you disagree.

#### Introduction

- 2.1 In our November 2023 decision,<sup>3</sup> we confirmed NESO will deliver the RESP. This introduction requires a change to both the ESO and the GSP licences, and the introduction of new definitions. The new licence conditions are the same across both the ESO and GSO licences, for simplicity both conditions are discussed together in this consultation.
- 2.2 The condition numbering in both the ESO and GSP licence text, in Annexes A and B, is our working assumption of where the text will sit in the licences. However, we note that the numbering is provisional and subject to change in the statutory consultation.

<sup>&</sup>lt;sup>3</sup> Decision on future of local energy institutions and governance: <u>Decision on future of local energy institutions and governance | Ofgem</u>

## **Section A: Definitions and interpretation**

#### **Condition A1: Definitions**

2.3 The licence conditions require several new definitions relevant to the introduction of the RESPs. The definitions are listed below and apply to both the ESO and GSP licences.

#### Proposed new definitions

- 2.4 Consistent Planning Assumptions: means a component of each RESP developed by the licensee which provides consistent network planning assumptions to ensure consistent derivation of network requirements resulting from the RESP Pathways.
  - *Policy intent:* To define a key component of the RESP that NESO will produce for each RESP Region in line with the RESP policy decision.
- 2.5 **National Steering Committee:** means a governance body that involves, at a minimum, the Authority, the licensee, the Secretary of State who together provide strategic oversight, expertise and advice during development of the RESP Methodology and the RESPs and to assure national-level coordination.
  - *Policy intent:* To define the national governance arrangements for the RESP that will be established by NESO.
- 2.6 **Pathway:** means a component of each RESP which provides a spatially modelled projection of energy demand and supply over the RESP Region developed by the licensee in line with the RESP Guidance.
  - *Policy intent:* To define a key component of the RESP that NESO will produce for each RESP Region in line with the RESP policy decision.
- 2.7 **Regional Context:** means a component of each RESP which provides a long-term view of regional conditions and priorities in the RESP Region developed by the licensee in line with the RESP Guidance.
  - *Policy intent:* To define a key component of the RESP that NESO will produce for each RESP Region in line with the RESP policy decision.
- 2.8 **Regional Energy Strategic Plan (RESP):** means a whole-system energy plan developed for a RESP Region by the licensee comprised of a Regional Context, a single 10-year Pathway and multiple longer-term Pathways, a Spatial Context, a Specification of Strategic Investment Need, and Consistent Planning Assumptions. The plural acronym RESPs is used to refer to multiple Regional Energy Strategic Plans.

- Policy intent: To define the output that NESO will produce for each RESP Region.
- 2.9 **RESP Guidance:** means the document of that name issued by the Authority from time to time pursuant to condition C19.11/C13.11.
  - *Policy intent:* To define the Ofgem owned Associated Document that will accompany the licence conditions and detail of the requirements.
- 2.10 **RESP Methodology:** means the methodology describing how the licensee will develop RESPs, approved by the Authority, in accordance with condition C19.17/C13.17.
  - *Policy intent:* To define how NESO will develop the RESPs, including their data and modelling processes, stakeholder engagement and governance.
- 2.11 **RESP Region:** means a geographic area, as defined in the RESP Guidance, for which a RESP is developed.
  - Policy intent: To define the area for which a RESP will be developed.
- 2.12 **Spatial Context:** means a component of each RESP which provides a geospatial view of RESP Pathways against network data indicating network capacity requirements over the RESP Region developed by the licensee in line with the RESP Guidance.
  - *Policy intent:* To define a key component of the RESP that NESO will produce for each RESP Region in line with the RESP policy decision.
- 2.13 **Specification of Strategic Investment Need:** means a component of each RESP developed by the licensee in line with the RESP Guidance which provides itemised specification of areas of strategic network investment need within the RESP Region which are of high economic and/or system value and necessary to the delivery of regional priorities as defined by the Regional Context.
  - *Policy intent:* To define a key component of the RESP that NESO will produce for each RESP Region in line with the RESP policy decision.
- 2.14 Strategic Board: means a governance body for the delivery and approval of each RESP that involves Distribution Network Operators (DNOs), Gas Distribution Networks (GDNs), devolved and local governments, and regional cross-sector bodies to provide oversight and steer to the RESP development process.
  - *Policy intent:* To define the regional governance arrangements for the RESP that will be established by NESO.

## Section C: Strategic and operational functions

## ESO Licence Condition C19 (New): Regional Energy Strategic Plan & GSP Licence Condition C13 (New): Regional Energy Strategic Plan

- 2.15 These are new proposed licence conditions. The changes apply to both the ESO and GSP licences. The full text of the proposed licence conditions is in Annexes A and B of this consultation.
- 2.16 The reason for proposing the licence conditions is to give effect to our April 2025 policy framework decision for NESO to deliver a Regional Strategic Energy Plan for each of the RESP Regions.
- 2.17 The effect of the condition is to:
  - oblige NESO to create a RESP Methodology, develop RESPs for each of the RESP regions and to carry out assurance activities to support alignment to RESPs
  - oblige NESO to establish a National Steering Committee, to support overall coordination of RESP development and a Strategic Board for each RESP Region which will be responsible for the approval of the RESPs
  - specify the key components that must be developed within each RESP, as well as key activities NESO must undertake to support RESP delivery
  - establish the process for approval and publication of the RESP Methodology<sup>4</sup>
     and RESPs that NESO must follow
  - explain the nature of the RESP Guidance document and the process the Authority will follow when directing changes to that guidance

#### **Associated documents**

- 2.18 Part B of the ESO and GSP licence conditions introduces the RESP Guidance as an Associated Document to the licence. The RESP Guidance contains two parts:

  Part A NESO Guidance and Part B DNO & GDN Guidance
- 2.19 Part A of the RESP Guidance (applicable only to NESO) sets out:
  - the general requirements NESO must carry out for the RESP Methodology, including setting out roles and responsibilities, place-based engagement and support for local authorities, technical coordination, and data expectations

<sup>&</sup>lt;sup>4</sup> We note that where dates for consultation, approval and publication are included within the licence condition, we may issue a derogation, if required.

- the methodology for the content of a RESP, including Regional Context,
   Pathways, Spatial Context, Specification of Strategic Investment Need and,
   Consistent Planning Assumptions
- the methodology for RESP Governance detailing the establishment of both the National Steering Committee and the Strategic Boards, as well as the engagement process and working groups;
- the methodology for carrying out assurance activities that NESO must undertake following creation of the RESPs
- the development and approval process of the RESP Methodology
- the approval process of the RESPs
- the publication process of the RESPs
- 2.20 For the avoidance of doubt, Part B of the RESP Guidance is not applicable to NESO.
- 2.21 The full proposed RESP Guidance is published in Annex E of this consultation.

# 3. Proposed modifications to the Electricity Distribution and Gas Transporter Licences

This section sets out our proposed modifications to both the Standard Licence Conditions of the Electricity Distribution Licence and Part D of the Standard Special Conditions of the Gas Transporters Licence to oblige DNO and GDN participation in the development of the RESPs.

We have set out the proposed definitions, and the effect the licence changes aim to have. Alongside this we have set out what is to be included in the associated RESP Guidance document.

#### Questions

- Q4.Do you agree that the new definitions as set out in paragraphs 3.7 3.12 adequately reflect the policy intent of the RESP? Please provide the reasons and any alternative suggestions if you disagree.
- Q5.Do you agree that the new licence text, as set out in Annexes C and D, adequately reflects the policy intent of the RESP? Please provide the reasons and any alternative suggestions if you disagree.
- Q6.Do you agree with our reasoning in paragraph 3.15 to use 'best endeavours' in the licence condition in Annexes C and D? Please provide the reasons and any alternative suggestions if you disagree.
- Q7.Do you agree that the content of the RESP Guidance, as set out in paragraph 3.21, adequately defines the expectations for GDNs and DNOs in their participation of the RESP? Please provide the reasons and any alternative suggestions if you disagree.

#### Introduction

- In our RESP policy framework, we set out that the key to its success is ensuring the DNOs and GDNs are highly engaged throughout the process. We outlined that modifications would be proposed for the DNO and GDN licences obligating them to support NESO's development of the RESP.
- Therefore, we are now proposing the introduction of a new licence condition for DNOs and GDNs, respectively, to work transparently and collaboratively with NESO to support the development of both the RESP Methodology and the RESPs.
- 3.3 Given the importance of DNO and GDN participation, introducing this obligation into their licences will cement the RESP as a priority, ensuring their ongoing involvement and support. Further, based on our review of existing obligations on

- the DNOs and GDNs, we do not believe that any existing obligations alone would adequately ensure their participation in the RESP development.
- 3.4 The condition numbering in both the Standard Licence Conditions of the Electricity Distribution Licence and Part D of the Standard Special Conditions of the Gas Transporters Licence texts in Annexes C and D, is our working assumption of where the text will sit in the licences however, we note that these are provisional and subject to change in the statutory consultation.

## **Definitions and interpretation**

- 3.5 The new licence conditions require several new definitions relevant to the introduction of the RESPs. The definitions are listed below.
- 3.6 These definitions will apply to:
  - Standard Licence Conditions of the Electricity Distribution Licence
  - Part A of the Standard Special Conditions of the Gas Transporters Licence

### Proposed new definitions

- 3.7 **Intelligence**: means such information (other than information subject to legal privilege) to be provided by the licensee to the ISOP which:
  - (a) Relates to the licensee's Distribution System;5
  - (b) Is in the possession or control of the licensee; and
  - (c) the ISOP considers necessary to develop the RESP Methodology or the RESPs.
  - *Policy intent*: To specify the information DNOs and GDNs must provide when requested by NESO to develop the RESP Methodology and/or RESPs.
- 3.8 **Regional Energy Strategic Plan (RESP)**: means the strategic energy plan developed for a RESP Region by the ISOP in accordance with the ISOP's obligation under the ISOP's Electricity System Operator Licence and Gas System Planner Licence.
  - Policy intent: To define the output that NESO will produce for each RESP Region.
- 3.9 **RESP Guidance:** means the document of that name issued and amended by the Authority from time to time pursuant to condition 54.7/D23.7.

<sup>&</sup>lt;sup>5</sup> Note that for Part A of the Standard Special Conditions of the Gas Transporters Licence, "Distribution System" will be replaced with "Distribution Network".

- *Policy intent:* To define the Ofgem owned Associated Document that will accompany the licence conditions and detail of the requirements.
- 3.10 **RESP Methodology:** means the methodology describing how the ISOP will develop RESPs, approved by the Authority, in accordance with condition C19 of the ISOPs Electricity System Operator Licence and condition C13 of the Gas System Planner Licence.
  - *Policy intent:* To define how NESO will develop the RESPs, including their data and modelling processes, stakeholder engagement and governance.
- 3.11 **RESP Region:** means a geographic area, as defined in the RESP Guidance, for which a RESP is developed.
  - *Policy intent:* To define the area for which a RESP will be developed.
- 3.12 **Strategic Board:** means a governance body for the delivery and approval of each RESP that involves Local Actors to provide oversight and steer to the RESP development process and strategic outputs, established by the ISOP in accordance with condition C19 of the ISOPs Electricity System Operator Licence and condition C13 of the Gas System Planner Licence.

*Policy intent:* To define the regional governance arrangements for the RESP that will be established by NESO.

## Proposed modifications to the Standard Licence conditions of the Electricity Distribution licence

#### **Condition 54. Regional Energy Strategic Plan**

- 3.13 This is a new proposed licence condition. The reason for proposing this licence condition is to obligate DNOs to work transparently and collaboratively with NESO, and share relevant information, to support the development of both the RESP Methodology and the RESPs. The full proposed licence condition is in Annex C of this consultation.
- 3.14 The effect of this proposed condition is to:
  - oblige DNOs to use their best endeavours to participate in the development of the RESP Methodology and the RESPs;
  - oblige DNOs to provide appropriate representation on the Strategic Boards in the relevant RESP Regions;
  - make provisions for DNOs to request to change their level of participation in a RESP Region or on a relevant Strategic Board where there is justification to warrant a change;

- oblige the DNOs to share Intelligence with NESO within a suitable timeframe and of appropriate quality and format; and
- explain the nature of the RESP Guidance document and the process the Authority will follow when directing changes to that document.
- 3.15 In drafting the proposed condition, we have considered the use of best endeavours vs reasonable endeavours. Our view is that best endeavours is appropriate, reflecting both the importance of the network companies' involvement in RESPs. Our view is that this is what a prudent and reasonable DNO or GDN acting in its own interests should do.
- 3.16 Our view is that the use of best endeavours is proportionate and does not place undue obligation on the DNOs and GDNs to a level of cost and effort that would be detrimental to consumers. It would simply require DNOs and GDNs to do their best to participate in the RESP process and provide Intelligence available to them.

## Proposed modifications to Part D of the Standard Special Conditions of the Gas Transporters Licence

## Standard Special Condition D23. Regional Energy Strategic Plan

- 3.17 This is a new proposed licence condition. The reason for proposing the licence condition is to obligate GDNs to work transparently and collaboratively with NESO, and share relevant information, to support the development of both the RESP Methodology and the RESPs. The full proposed licence condition is in Annex D of this consultation.
- 3.18 The effect of this condition is to:
  - oblige GDNs to use their best endeavours to participate in the development of the RESP Methodology and the RESPs;
  - oblige GDNs to provide appropriate representation on the Strategic Boards in the relevant RESP Regions;
  - make provisions for GDNs to request to change their level of participation in a RESP Region or on a relevant Strategic Board where there is justification to warrant a change;
  - oblige the GDNs to share Intelligence with NESO within a suitable timeframe and of appropriate quality and format; and
  - explain the nature of the RESP Guidance document and the process the Authority will follow when directing changes to that document.

3.19 As discussed in paragraphs 3.15 and 3.16 above we have also decided to use the best endeavours language in this licence.

#### **Associated documents**

- 3.20 Part C of the proposed Condition 54 of the Standard Licence conditions of the Electricity Distribution Licence and Condition D23 of Part D of the Standard Special Conditions of the Gas Transporters Licence introduces the RESP Guidance as an Associated Document to the licence. The RESP Guidance contains two parts: Part A NESO Guidance and Part B Network Guidance
- 3.21 Part B of the RESP Guidance (applicable only to DNOs and GDNs) sets out:
  - how the GDNs and DNOs are expected to participate in the RESP development, in particular, the RESP Methodology and the Strategic Boards; and
  - details of how the GDNs and DNOs are expected to provide Intelligence to NESO, and further information of our expectations of NESO when requesting Intelligence.
- 3.22 For the avoidance of doubt, Part A of the RESP Guidance is not applicable to the DNOs and GDNs.
- 3.23 The full proposed RESP Guidance is published in Annex E of this consultation.

## 4. Your response, data and confidentiality

## **Consultation stages**

4.1 The consultation will be open until 8 August 2025. Responses will be reviewed, and we intend to undertake a further statutory consultation in the autumn. We may hold working groups during this period if needed to support the development process.

### How to respond

- 4.2 We want to hear from anyone interested in this consultation. Please send your response to resp@ofgem.gov.uk.
- 4.3 We've asked for your feedback in each of the questions throughout. Please respond to each one as fully as you can.
- 4.4 We will publish non-confidential responses on our website at <a href="https://www.ofgem.gov.uk/consultations">www.ofgem.gov.uk/consultations</a>.

## Your response, your data and confidentiality

- 4.5 You can ask us to keep your response, or parts of your response, confidential. We'll respect this, subject to obligations to disclose information, for example, under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, statutory directions, court orders, government regulations or where you give us explicit permission to disclose. If you do want us to keep your response confidential, please clearly mark this on your response and explain why.
- 4.6 If you wish us to keep part of your response confidential, please clearly mark those parts of your response that you *do* wish to be kept confidential and those that you *do not* wish to be kept confidential. Please put the confidential material in a separate appendix to your response. If necessary, we'll get in touch with you to discuss which parts of the information in your response should be kept confidential, and which can be published. We might ask for reasons why.
- 4.7 If the information you give in your response contains personal data under the General Data Protection Regulation (Regulation (EU) 2016/679) as retained in domestic law following the UK's withdrawal from the European Union ("UK GDPR"), the Gas and Electricity Markets Authority will be the data controller for the purposes of GDPR. Ofgem uses the information in responses in performing its statutory functions and in accordance with section 105 of the Utilities Act 2000. Please refer to our Privacy Notice on consultations, see Appendix 4.

4.8 If you wish to respond confidentially, we'll keep your response itself confidential, but we will publish the number (but not the names) of confidential responses we receive. We won't link responses to respondents if we publish a summary of responses, and we will evaluate each response on its own merits without undermining your right to confidentiality.

### **General feedback**

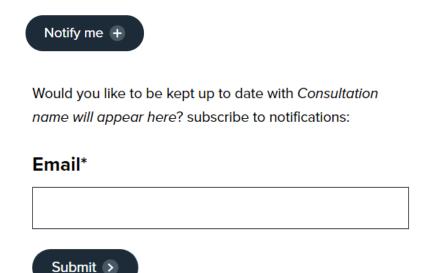
- 4.9 We believe that consultation is at the heart of good policy development. We welcome any comments about how we've run this consultation. We'd also like to get your answers to these questions:
  - 1. Do you have any comments about the overall process of this consultation?
  - 2. Do you have any comments about its tone and content?
  - 3. Was it easy to read and understand? Or could it have been better written?
  - 4. Were its conclusions balanced?
  - 5. Did it make reasoned recommendations for improvement?
  - 6. Any further comments?

Please send any general feedback comments to <a href="mailto:stakeholders@ofgem.gov.uk">stakeholders@ofgem.gov.uk</a>

## How to track the progress of the consultation

You can track the progress of a consultation from upcoming to decision status using the 'notify me' function on a consultation page when published on our website. Choose the notify me button and enter your email address into the pop-up window and submit.

ofgem.gov.uk/consultations



Once subscribed to the notifications for a particular consultation, you will receive an email to notify you when it has changed status. Our consultation stages are:

**Upcoming** > **Open** > **Closed** (awaiting decision) > **Closed** (with decision)

## **Appendices**

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## **Appendix 1 - Privacy notice on consultations**

#### Personal data

The following explains your rights and gives you the information you are entitled to under the General Data Protection Regulation (GDPR).

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

# 1. The identity of the controller and contact details of our Data Protection Officer

The Gas and Electricity Markets Authority is the controller, (for ease of reference, "Ofgem"). The Data Protection Officer can be contacted at <a href="mailto:dpo@ofgem.gov.uk">dpo@ofgem.gov.uk</a>

## 2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

#### 3. Our legal basis for processing your personal data

As a public authority, the GDPR makes provision for Ofgem to process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

#### 4. We will not share your personal data

## 5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for twelve months after the project is closed

## 6. Your rights

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right to:

- know how we use your personal data
- access your personal data
- have personal data corrected if it is inaccurate or incomplete
- ask us to delete personal data when we no longer need it
- ask us to restrict how we process your data
- get your data from us and re-use it across other services
- object to certain ways we use your data

- be safeguarded against risks where decisions based on your data are taken entirely automatically
- tell us if we can share your information with 3<sup>rd</sup> parties
- tell us your preferred frequency, content and format of our communications with you
- to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <a href="https://ico.org.uk/">https://ico.org.uk/</a>, or telephone 0303 123 1113.
- 7. Your personal data will not be sent overseas
- 8. Your personal data will not be used for any automated decision making.
- 9. Your personal data will be stored in a secure government IT system.
- **10. More information** For more information on how Ofgem processes your data, click on the link to our "ofgem privacy promise".