

Consultation

Statutory Consultation on Connections Reform Costs related Modifications to Electricity Distribution Licence Special Conditions

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The purpose of this document is to consult on proposed amendments to the Special Licence Conditions of the Electricity Distribution Licence, being the licence held by Distribution Network Operators (DNOs or Licensees in this document). Following Ofgem's decision to approve TMO4+ in April 2025, DNOs are required to play a role in implementation and, in particular, in relation to the Gate 2 to Whole Queue ('G2tWQ') exercise. Completing this exercise may result in the DNOs incurring costs that are not currently funded in their existing allowances of the current price control. We are consulting on the insertion of a new cost recovery mechanism into the Distribution Licence to allow DNOs to pass-through reasonable costs associated with this one-off exercise.

This document outlines the scope, purpose and questions of the proposed licence modifications and how you can respond to the statutory consultation. Marked up versions of the proposed modifications to the licence text are also provided in subsidiary documents.

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1. Introduction

Section summary:

This section provides the background to this statutory consultation, explaining how it fits within Ofgem duties. It explains the scope of this consultation. We also outline the next steps following this consultation and why we consider modifications to the Special Conditions of the Distribution Licence are required.

Background

- 1.1 In April 2025, Ofgem published decisions to approve a package of connections reforms, known as 'TMO4+', which included code modifications, licence amendments, and Connections Methodologies.¹ As well as introducing an enduring process for new connection applications, TMO4+ reforms the existing queue to prioritise those projects in a firm Gate 2 connections queue that are 1) 'ready' and 2) 'needed' (ie meeting Strategic Alignment Criteria) under the CP2030 Action Plan, and deprioritises those to an indicative Gate 1 queue that do not meet those criteria. This reform of the existing queue is achieved through a process known as Gate 2 to Whole Queue ('G2tWQ').²
- 1.2 TMO4+ was implemented on 10 June 2025. Licensees are required to implement TMO4+, which includes the review and updating of existing connection contracts. This forms part of G2tWQ, which on current timelines is being carried out through to May 2026.

What we are consulting on

- 1.3 Licensees have an essential role to play in the successful implementation of Connections Reform, in order to bring about the impacts of the reforms envisioned in the TMO4+ Impact Assessment.³ DNOs will, amongst other things, be responsible for receiving Gate 2 evidence from their customers, making provisional assessments of that evidence against the Gate 2 Criteria and making changes to the connection contracts that they hold with their customers to reflect the outcome of the Gate 2 to Whole Queue exercise.
- 1.4 Performing this role in G2tWQ will generate additional, and potentially material, costs for Licensees. The current RIIO-ED2 price control, running from 1 April 2023 to 31 March 2028, was settled prior to TMO4+ reforms being introduced.

¹ [Decision on Connections Reform Package \(TMO4+\) | Ofgem](#).

² The Gate 2 to Whole Queue exercise is the process of NESO and network operators re-examining existing connection offers and determining whether these meet the criteria of the new connections process. This will see existing connection offers amended to bring them in-line with the requirements of the new process.

³ [TMO4+ Impact Assessment](#).

Accordingly, there are no separate and identifiable allowances set out in the RIIO-ED2 Final Determinations specifically for TMO4+ implementation costs, nor are they accessible via any currently specified RIIO-ED2 uncertainty mechanism. Amendments to the existing price control arrangements are therefore appropriate to ensure all reasonable costs arising from implementation of TMO4+ reforms are recoverable where these are not funded by another mechanism within the price control or recoverable via Connection Charges.

- 1.5 We do, however, anticipate that some costs may be covered under existing price control allowances. This reflects that Licensees have existing allowances in RIIO-ED2 set broadly for the same purposes as Connections Reform Costs, where these costs are alike. Accordingly, where possible, Licensees must recover implementation costs associated with G2tWQ through existing allowances of the RIIO-ED2 price control period.
- 1.6 The total implementation costs that Licensees will incur in carrying out G2tWQ (that were not foreseen at the time of the last price control decision and would not have arisen but for the TMO4+ Decision) may exceed the amount that is recoverable in the current RIIO-ED2 allowances. We are proposing a new pass-through mechanism in SLC 6 of the Distribution Licence to allow the recovery of reasonable costs associated with this exercise. This will be supported by new/amended definitions in SLC 1.2, including the introduction of the term “Connections Reform Costs”, being those costs which are capable of being passed through, and a Materiality Threshold which sets the limit at which eligible costs can be recovered.
- 1.7 We are also proposing a supporting Connections Reform Costs Governance Document, which forms part of this consultation. This more fully describes Connection Reform Costs and explains additional requirements for Licensees, including reporting. These proposed changes are explained in more detail in sections 2 and 3 below.
- 1.8 For the avoidance of doubt, we are proposing to allow Licensees to recover the reasonable costs associated with implementing the one-off G2tWQ exercise only (from CMP435⁴). The costs of processing new applications (in accordance with CMP434⁵) will not be covered by the proposed pass-through item.

⁴ [Connection and Use of System Code \(CUSC\) CMP435: Application of Gate 2 Criteria to existing contracted background.](#)

⁵ [Connection and Use of System Code \(CUSC\) CMP434: Implementing Connections Reform.](#)

- 1.9 The sections that follow cover the licence conditions we propose to modify, explaining the proposed changes and the policy intent behind those changes. The annex to this consultation includes the marked-up version of the licence conditions we propose to amend.

Ofgem's Principal Objective and other statutory duties

- 1.10 Ofgem's principal objective is 'to protect the interests of existing and future consumers in relation to electricity conveyed by distribution systems or transmission systems'.⁶ The interests of consumers are taken as a whole and include, but are not limited to, their interests in the Secretary of State's compliance with the duties in sections of the Climate Change Act 2008 setting out the Net Zero target for 2050 and five-year carbon budgets; and their interests in the security of the supply of electricity to them. Ofgem is required to act in accordance with its principal objective and other statutory duties when exercising its regulatory functions.
- 1.11 Our TMO4+ Impact Assessment and decisions considered the impacts of the reforms, including estimates as to impacts on costs on consumers of anticipated savings and potential additional costs, and concluded that the approved changes protected the interests of consumers and were consistent with our statutory duties.⁷ Our reasoning is set out in more detail in those decisions, but in particular, we recognised that while there would be costs associated with the implementation of the reforms (including DNO expenditure in implementing G2tWQ anticipated to be c. £17 million, and significant sums expended by investors in developing projects), there were also significant benefits, both in reduction of costs (particularly future avoided enabling network costs), and related benefits such as progression towards net zero targets and increased security of supply.
- 1.12 The proposed licence changes are intended to facilitate the timely and cost-effective implementation of G2tWQ, being a fundamental feature of TMO4+. As such, we consider that they are also consistent with our principal objective and other statutory duties. Ofgem will closely monitor the usage and impact of the Connections Reform Costs pass-through mechanism to ensure this remains in line with our expectations and consumers' interests. There are mechanisms built into the proposals to protect the interests of consumers, including the Materiality Threshold and the stringent criteria which determines what costs can

⁶ The Authority's statutory duties in this context are detailed mainly in the Electricity Act 1989 (in particular, but not limited to section 3A) as amended. [Our Powers and duties | Ofgem](#).

⁷ [Decision on Connections Reform Package \(TMO4+\) | Ofgem](#).

be passed-through, with costs ultimately capable of being disallowed or reduced by the Authority. To the extent further changes are considered necessary in future, it remains open to us to consult on further updates to the licence (or the associated Connections Reform Costs Governance Document).

- 1.13 Section 3A(2)(b) from the Electricity Act 1989 requires us to have due regard to the need for licence holders to be able to finance their activities. We have considered this in developing these proposals and although we do not expect Connections Reform Costs to reach a scale that would compromise financeability of Licensees, we are satisfied that having greater clarity and confidence in the recovery of these one-off costs will ensure more effective TMO4+ implementation and so consumers will receive greater benefits, sooner.

Next steps

- 1.14 This consultation will remain open for 28 days, until 18 September 2025.
- 1.15 Subject to responses to this consultation, the Authority will make a decision on the proposed licence modification.

2. Proposed amendments to Special Licence Condition 1.2 of the Electricity Distribution Licence

Section summary

This section summarises the proposal to introduce proposes new definitions and amendments to existing definitions to complement the cost recovery mechanism.

Definitions

- 2.1 It is proposed that Section 1 of the Special conditions of the Electricity Distribution licence will contain the following new definitions, added to Special Condition 1.2:
- "Connections Reform Costs"
 - "Connections Reform Costs Governance Document"
 - "Connections Reform Costs Materiality Threshold"
 - "Gate 2 to Whole Queue Exercise"
 - "TMO4+ Decision".
- 2.2 Further, the following existing definition from Special Condition 1.2 is proposed to be amended:
- "Associated Documents".
- 2.3 These new and amended definitions are proposed to support the introduction of the proposed new cost recovery mechanism. These are each explained in turn in more detail below.

Connections Reform Costs

- 2.4 We are proposing to insert a new definition of "Connections Reform Costs". Connections Reform Costs are defined as reasonable costs incurred by the DNO on or after 27 November 2024 (date of consultation on proposed licence changes to enable TMO4+ Connections Reform⁸) and 31 March 2028, provided those costs are clearly attributable to the DNO's role in the implementation of G2tWQ.⁹

⁸ Annex A: Proposed modifications to Electricity Distribution Licence Special Conditions to enable TMO4+ Connections Reform | Ofgem.

⁹ We expect an equivalent cost recovery mechanism for the same purpose will be needed in the RII0-ED3 price control, to reflect the lifespan of this mechanism needing to extend beyond 31 March 2028. This will be addressed in the ED3 price control decision and associated licence modification. The scheme will continue on substantially the same terms.

- 2.5 As noted above, Connections Reform Costs are limited to costs that were not foreseen at the time of the last price control. For that reason, and in order to prevent the possibility of double-recovery, the definition makes it clear that Connections Reform Costs are only recoverable to the extent that they are not already recoverable through other means (including through connection charges or existing price control allowances). Further, under the proposed definition, Connections Reform Costs will not be recoverable unless they exceed the Connections Reform Materiality Threshold (see below). They must also be “reasonable”. Connections Reform Costs (including what is meant by reasonable) are more fully described in a new Associated Document which we are also consulting on: the Connections Reform Costs Governance Document. This provides further detail on the nature of the costs that can be legitimately considered Connections Reform Costs. Any costs that do not meet this definition can be disallowed or reduced by the Authority.
- 2.6 The effective implementation of TMO4+ at both distribution and transmission level is in the long-term interests of consumers. We accept that Licensees may incur costs in implementing these important reforms, including in particular through G2tWQ, and we believe that it is in the interests of consumers that those costs can be recovered, noting the one-off nature of this exercise and the potentially significant implications this could have for Licensees. However, it is also important to ensure that the parameters of those costs are rigorously defined, so as to ensure, as far as possible, the delivery G2tWQ at the most reasonable and proportionate cost. The definition of Connection Reform Costs therefore aims to strike this balance: allowing recovery of reasonable and necessary costs associated with G2tWQ, but limiting those costs only to those that are not already recoverable through other means, and allowing the Authority to disallow costs if they exceed the definition provided.
- 2.7 There are various types of costs which Licensees may incur that could fall within this definition of Connection Reforms Costs, for example specific additional costs associated with setting up new processes and systems to properly co-ordinate delivery, engaging with customers and the NESO as part of TMO4+.¹⁰

¹⁰ Although we consider that the existing statutory and regulatory framework allows Licensees to implement the reforms, we cannot completely exclude the possibility of a legal challenge and recognise that even unsuccessful legal challenges can create costs for Licensees. Any costs which Licensees are able to recover following the successful defence of any challenge would be deducted from future allowances.

Connections Reform Costs Governance Document

- 2.8 We are proposing to include a new definition of “Connections Reform Costs Governance Document”. This is the document that will be published by the Authority, in accordance with Special Condition 6.1 (Pass-through items). As noted above, the purpose of this document is to more fully describe Connections Reform Costs and set out relevant conditions, such as reporting requirements, that the Licensee must comply with. Due to the level of detail, it is most appropriate for this to be contained in this separate document. As noted above, we will closely monitor the usage and impact of the Connections Reform Costs pass-through mechanism to ensure this remains in line with our expectations and consumer interests, including, if necessary using the mechanisms available to disallow or reduce costs. While we consider the proposed framework is robust, where necessary, we may also update the Governance Document in accordance with Special Condition 6.1.14.

Connections Reform Costs Materiality Threshold

- 2.9 For Connections Reform Costs to be recoverable via the new pass-through mechanism, they will need to have exceeded the “Connections Reform Costs Materiality Threshold”. This proposed definition includes the amount of the threshold, which is a single, aggregate threshold per Licensee that does not reset annually. The effect of this is that the threshold must only be met once in order for costs to become recoverable. We consider that an aggregate materiality threshold is more suitable than one that resets annually. This is because we expect that DNOs may need to recover Connections Reform Costs across several years. We anticipate these costs could be accrued in a non-linear pattern, which would make an annually-resetting threshold inappropriate (as it could have inadvertently punitive impacts on DNOs in some years). Further, a single aggregate threshold makes it easier to report, quantify, and scrutinise costs, which can be recovered from the time the threshold is met.
- 2.10 Where a Licensee incurs a totality of Connections Reform Costs that exceed their respective materiality threshold, only the costs which exceed the threshold are recoverable; that is, costs incurred up to the materiality threshold are not recoverable as a pass-through cost and will receive their normal regulatory treatment. The inclusion of materiality thresholds will ensure that costs are only passed through to consumers where these have exceeded a magnitude that we consider warrants recovery (ie exceeded the materiality threshold). We expect

DNOs to bear a portion of the cost of implementing TMO4+, and we have included the materiality threshold to ensure that they will only be able to recover Connection Reform Costs to the extent that costs exceed the amount that it is reasonable and proportionate for DNOs to absorb themselves. This has resulted in the materiality threshold attributed to each DNO being proposed to be scaled according to the existing reopener materiality thresholds currently set out in licence for individual Licensees, so that each Licensee has a proportionate and fair materiality threshold as compared to others.

Gate 2 to Whole Queue Exercise

- 2.11 We are proposing to add a definition of “Gate 2 to Whole Queue Exercise”. G2tWQ is a one-off process that was approved as part of the TMO4+ Decision, specifically CMP435.¹¹ It is proposed to include this definition to ensure this cost recovery mechanism is limited only to Connections Reform Costs associated with G2tWQ, the one-off process that modifies existing connection offers, ie from CMP435. Our intention is that any enduring costs associated with future connection application windows (ie from CMP434) will be treated as business as usual costs of the Licensees as part of their expected regulatory activities under the price control – they will not be recoverable as Connections Reform Costs.

TMO4+ Decision

- 2.12 We recognise that Connections Reform Costs within the scope of these proposed licence changes originate from the Authority’s decision to approve the reformed connections process via TMO4+. Therefore the proposed definition of “TMO4+ Decision” clarifies the date of that decision, and includes the various regulatory documents accompanying it. Therefore, the proposed definition is meant to provide the context and regulatory reference.

Associated Documents

- 2.13 The existing definition of “Associated Documents” is also proposed to be amended to include the Connections Reform Costs Governance Document within it. This is because we propose that the Governance document be treated as an Associated Document for change control purposes (improving transparency through the use of consultation), and so this amendment is necessary to achieve this intention.

¹¹ [Connection and Use of System Code \(CUSC\) CMP435: Application of Gate 2 Criteria to existing contracted background.](#)

2.14 The proposed legal text of the definitions above is available in Annex A of this consultation.

Questions:

Q1. Do you agree with our proposed modifications to Chapter 1 of the Special Conditions of the Electricity Distribution Licence? Please provide reasons for your answer and any alternative suggestions if you disagree.

Q2. Do you consider any further modifications to Chapter 1 of the Special Conditions of the Electricity Distribution Licence are necessary? Please provide reasons for your answer and identify any changes you consider to be needed, if applicable.

3. Proposed amendments to Chapter 6 of the Special Licence conditions of the Electricity Distribution Licence

Section summary

This section explains how the proposed cost recovery mechanism will be embedded in the pass-through expenditure formula of chapter 6 of the Special Conditions of the Electricity Distribution Licence. It also explains the governance process surrounding the proposed mechanism.

Pass-through mechanism

- 3.1 The Authority is proposing to amend Special Condition 6.1 (Pass-through Items). Part A of condition 6.1 contains the formula for calculating pass-through expenditure, which contributes to the calculation of Calculated Revenue in Special Condition 2.1. In order to allow the recovery of Connections Reform Costs as a pass-through item (ie their inclusion in the licensee's Calculated Revenue), we are proposing to add a new element, "CRt", to this formula at Special Condition 6.1.4. As noted above, the addition is proposed because costs arising from the TMO4+ decision were not anticipated by or included at the time of the RIIO-ED2 Final Determinations. CRt is defined as "the value of the Connections Reform Costs incurred by the licensee (provided that value has not been recovered in previous years)". This will allow the licensee to recover costs that fall within the definition of Connections Reform Costs as pass-through expenditure.
- 3.2 The Connections Reform Costs Governance Document is established through the addition of a new Special Condition 6.1.3. This will be maintained by the Authority in accordance with the proposed new Part D of Special Condition 6. Part 6.1.11 establishes the purpose of the Governance Document, which is to provide more detailed information about the costs that the Authority considers may be legitimately included in the CRt element of the pass-through, and to establish the reporting requirements that the Licensees must comply with.
- 3.3 Further proposed amendments to this section (6.1.12 and 6.1.13) make it clear that compliance with the additional requirements of the Governance Document – and the reporting requirements included in it – are conditions of the licence itself.
- 3.4 Under 6.1.14, the Governance Document has the status of an "Associated Document". This is the established practice for documents of this type (ie for

documents that supplement the requirements of the licence). Associated Documents are subject to a single governance procedure, which is set out in Special Condition 1.3 (Common Procedure). This ensures that the Governance Document is publicly available, and that any proposed changes cannot be made without consultation.¹²

- 3.5 The proposed legal text of the definitions above is available in Annex A of this consultation.

Questions:

- Q3. Do you agree with our proposed amendments to Chapter 6 of the Special Conditions of the Electricity Distribution Licence? Please provide reasons for your answer.
- Q4. Do you consider any further modifications to Chapter 6 of the Special Conditions of the Electricity Distribution Licence are necessary? Please provide reasons for your answer.

¹² With the exception of where the Authority directs changes to the reporting requirements, in accordance with Special Condition 6.1.13.

4. Proposed Connections Reform Cost Governance Document

- 4.1 The Connections Reform Costs Governance Document is an important part of the framework. It elaborates on the type of costs that DNOs can recover as “Connections Reform Costs”.
- 4.2 The purpose of this document, as explained above, is to: further describe Connections Reform Costs, providing further clarity about the costs that can be recovered, and set out associated conditions, such as new reporting and engagement requirements.
- 4.3 Due to the level of detail provided, it is most appropriate for this to be contained in a separate document rather than being embedded within the licence.
- 4.4 This proposed document is found in full at Annex B of this consultation.

Questions:

Q5. Do you agree with our proposed drafting of the Connections Reform Cost Governance Document? Please provide reasons for your answer.

Q6. Do you consider any further modifications to the Connections Reform Costs Governance Document are necessary? Please provide reasons for your answer.

5. Your response, data and confidentiality

Consultation stages

Stage 1

Consultation opens 21 August 2025.

Stage 2

Consultation closes (deadline for responses) 5pm, 18 September 2025.

Stage 3

Consultation decision/policy statement and publication of responses are expected to be published in October 2025.

How to respond

We want to hear from anyone interested in this consultation. We would like views from network companies. We would also welcome responses from other stakeholders and the public, including DESNZ and NESO. 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 [ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations). 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.

5.1 Please send your response to connections@ofgem.gov.uk.

5.2 We've asked for your feedback in each of the questions throughout. Please respond to each one as fully as you can.

5.3 We will publish non-confidential responses on our website at www.ofgem.gov.uk/consultations.

Your response, your data and confidentiality

5.4 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.

- 5.5 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.
- 5.6 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.
- 5.7 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

- 5.8 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 stakeholders@ofgem.gov.uk

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

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Would you like to be kept up to date with *Consultation*
name will appear here? subscribe to notifications:

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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)

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 dpo@ofgem.gov.uk

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. With whom we will be sharing your personal data:

We may share your response with other government bodies (such as the Department for Energy Security and Net Zero) where necessary to facilitate connections reform. We may share your data if required to do so by law, for example by court order. Your response will also be published on our website. If your response includes personal information, we will publish your response as is, unless you tell us you wish to have any details on the document redacted.

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

Your personal data will be held in accordance with our data retention policy.

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 3rd 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 <https://ico.org.uk/>, 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](#)".