



## About us

Since 1978, Solar Energy UK has worked to promote the benefits of solar energy and to make its adoption easy and profitable for domestic and commercial users. A not-for-profit association, we are funded entirely by our membership, which includes installers, manufacturers, distributors, large-scale developers, investors, and law firms.

Our mission is to empower the UK solar transformation. We are catalysing our members to pave the way for 70GW of solar energy capacity by 2035. We represent solar heat, solar power and energy storage, with a proven track record of securing breakthroughs for all three.

## Respondent details:

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**Organisation Name:** Solar Energy UK

**Would you like this response to remain confidential:** No

**Submission date:** 17/11/2025

## 1. Does the G2tWQ Determinations Guidance in Appendix 1 clearly set out the Authority's determination processes for disputes arising from the Gate 2 to Whole Queue exercise and its expectations of disputing parties?

We appreciate the clarification provided regarding the scope of matters on which Ofgem is willing to make determinations. This transparency is useful and will assist developers in understanding when and how the Authority may intervene.



However, despite the guidance offered, we remain concerned about the practical effectiveness of the proposed dispute pathway. The G2tWQ process is highly time-sensitive, meaning that even where a developer is ultimately found to be correct, the determination would need to be made quickly enough to allow re-entry into the process in order to have any real value.

We also note that Ofgem expects parties to exhaust all other dispute-resolution channels before approaching the Authority. While understandable in principle, this requirement risks elongating an already tight timeline and could further diminish the usefulness of the mechanism for developers.

In addition, the consultation text (particularly sections 2.19 and 2.22 of Step 3) indicates that even if Ofgem concludes that an error has indeed occurred, the Authority will not reinstate the affected project in the queue, nor require the DNO or NESO to compensate for lost opportunities or incurred costs. This places clear limits on the practical remedies available to parties whose concerns are upheld.

As a result, although the document articulates the process and expectations, there remains significant uncertainty about what developers can meaningfully achieve through an Ofgem determination under the current framework.

## **2. Is there any additional clarity that you think is needed on the determinations procedures in the G2tWQ Determinations Guidance?**

Further clarity would be welcome on how the procedure is intended to produce tangible outcomes for developers whose disputes are upheld. If Ofgem cannot require reinstatement into the WQTG2 process, nor instruct the DNO/NESO to compensate for costs caused by procedural failures, it is unclear what practical remedy is available beyond formal recognition that an error occurred.

While we acknowledge that re-entering the original queue may not be feasible given the strict timings involved, it is difficult to understand why



Ofgem could not, at minimum, empower itself to require compensation for costs incurred up to the point of the error—recognising that compensating for future lost profits may be impracticable.

These limitations raise questions about the overall purpose and utility of the dispute process, and additional explanation of how the Authority envisages providing meaningful redress would be beneficial.

Finally, one way to mitigate the risk of errors going undetected until it is too late would be for NESO to publish the full queue. This would enable customers to identify discrepancies early. However, we recognise that such transparency would require changes to existing licences and methodologies, and NESO has historically resisted this level of disclosure, including during the CMP434/435 Workgroups.