

# Consultation

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## Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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Publication date:	22 March 2024
Response deadline:	26 April 2024
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We are consulting on our minded-to position on the Early Construction Funding (ECF) submission application by Scottish & Southern Electricity Networks Transmission (trading as Scottish Hydro Electric Transmission Plc – ‘SHET’) for eight electricity transmission projects as governed by SHET’s electricity transmission licence (the Licence), Special Condition (SpC) 3.41 ‘Accelerated strategic transmission investment Re-opener and Price Control Deliverable term (ASTIR<sub>t</sub>)’. We are also consulting on our corresponding proposed modification to adjust the term ASTIA<sub>t</sub> referenced in Appendix 1 of Spc 3.41.

We would like views from people with an interest in new transmission infrastructure, meeting the net zero challenge, and competition in onshore transmission networks. We particularly welcome responses from consumer groups, stakeholders impacted by the project, stakeholders with an interest in the costs of electricity transmission infrastructure, and transmission owners. We would also welcome responses from other stakeholders and the public.

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 [ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations).

**Consultation** – Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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**Consultation** – Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## Contents

<b>Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence.....</b>	<b>1</b>
<b>Executive summary.....</b>	<b>4</b>
Next steps.....	5
<b>1. Consultation.....</b>	<b>6</b>
What are we consulting on.....	6
Related publications.....	7
Consultation stages.....	7
How to respond.....	7
Your response, data and confidentiality.....	8
How to track the progress of the consultation.....	9
<b>2. Eight SHET projects Early Construction Funding assessment .....</b>	<b>10</b>
Brief description of the eight projects.....	10
ECF application.....	10
Strategic land purchases.....	12
Early enabling works.....	13
Early procurement commitments.....	13
Our Minded-to position.....	13
<b>3. Next steps.....</b>	<b>15</b>
<b>Appendices .....</b>	<b>16</b>
<b>Appendix 1 – Notice of statutory consultation to modify SpC 3.41 of the Licence.....</b>	<b>17</b>
<b>Appendix 2 – Draft of proposed modifications to Special Condition 3.41 of the electricity transmission licence held by Scottish Hydro Electric Transmission Plc.....</b>	<b>19</b>
<b>Appendix 3 – Map and brief description of the eight SHET projects .....</b>	<b>25</b>
<b>Appendix 4 – Privacy notice on consultations .....</b>	<b>28</b>

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## Executive summary

Under Scottish Hydro Electric Transmission Plc (SHET) electricity transmission licence, Special Condition (SpC) 3.41 'Accelerated Strategic Transmission Investment Re-opener and Price Control Deliverable term (ASTIR<sub>t</sub>)' - Part C: Early Construction Funding,<sup>1</sup> we can provide Transmission Owners (TOs) with Early Construction Funding (ECF). ECF may not exceed 20% of the total forecast project cost listed in the ASTI Confidential Annex (except in exceptional circumstances) in order to enable permitted early construction activities that are required to accelerate projects ahead of receiving planning permission. The permitted<sup>2</sup> early construction activities are:

- Strategic land purchases
- Early enabling works
- Early procurement commitments
- Other activities approved in advance by Ofgem

As part of the ECF re-opener mechanism, we will undertake a high-level assessment of the proposed early construction activities to determine whether costs are reasonable, within the stated 20% threshold of total forecasted project cost and are in line with the mechanism's purpose. We will not undertake a detailed cost assessment at this stage, and we will not form a view on whether the proposed expenditure is efficient. We will undertake this as part of a full cost assessment, including early construction costs, at the Accelerated Strategic Transmission Investment (ASTI) Project Assessment (PA) stage.

On 06 October, in line with SpC 3.41.9<sup>3</sup> and the ASTI Guidance and Submission Requirements Document,<sup>4</sup> SHET submitted the required minimum eight week advance notice that it was going to make an ECF application regarding eight electricity transmission projects.<sup>5</sup> SHET's application<sup>6</sup> was made on 30 November 2023.

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<sup>1</sup> [Licences and licence conditions](#), Electricity licences and conditions, Transmission Licence, Scottish Hydro Electric Transmission Plc – Special Conditions

<sup>2</sup> [Decision to modify the special licence conditions in the electricity transmission licences: Accelerated Strategic Transmission Investment](#), Accelerated Strategic Transmission Investment Guidance And Submission Requirements Document, paragraph 4.13

<sup>3</sup> [Licences and licence conditions](#), Electricity licences and conditions, Transmission Licence, Scottish Hydro Electric Transmission Plc – Special Conditions

<sup>4</sup> [Decision to modify the special licence conditions in the electricity transmission licences: Accelerated Strategic Transmission Investment](#), Accelerated Strategic Transmission Investment Guidance And Submission Requirements Document, paragraph 3.12

<sup>5</sup> See paragraph 1.1

<sup>6</sup> See paragraph 2.2

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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Our minded-to position is to amend the allowances set out for each of these projects in Appendix 1 (ASTIA<sub>t</sub>) of SpC 3.41 'Accelerated strategic transmission investment Re-opener and Price Control Deliverable term (ASTIR<sub>t</sub>)' in SHET's electricity transmission licence (the Licence) to reflect SHET's full ECF expenditure request. The term will have the value given in the corresponding updated version of the ASTI Confidential Annex. The statutory notice of our proposed modification to adjust the ASTIA<sub>t</sub> term as referenced in Appendix 1 of SpC 3.41 is included in Appendix 1 of this consultation.

**Next steps**

We welcome responses to our consultation on the specific questions we have included in Chapter 2. If you would like to respond to this document, then please send your responses to: [RIIOElectricityTransmission@ofgem.gov.uk](mailto:RIIOElectricityTransmission@ofgem.gov.uk). The deadline for responses is 26 April 2024. We aim to publish our ECF decision and the decision to modify SHET's licence in summer 2024.

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## 1. Consultation

### What are we consulting on

1.1 This document sets out our minded-to position on SHET's first ECF application for the following eight 'Accelerated Strategic Transmission Investment' (ASTI) projects<sup>7</sup> which have the following Network Options Assessment (NOA)<sup>8</sup> codes:

#### Onshore (six projects)

- BLN4: Beaully to Loch Buidhe 400kV Reinforcement
- SLU4: Loch Buidhe to Spittal 400kV Reinforcement
- BBNC: Beaully to Blackhillock 400kV Double Circuit
- BPNC: Blackhillock and Peterhead 400kV Double Circuit
- BDUP: Beaully to Denny 275kV Circuit to 400kV
- TKUP:<sup>9</sup> East Coast Onshore 400kV Phase 2 reinforcement

#### Offshore (two projects)

- PSDC: Spittal to Peterhead 2GW HVDC Subsea link
- W.Isles: Arnish to Beaully (Western Isles) HVDC link

1.2 Chapter 2 summarises our view on the ECF application for the eight projects at this stage and our minded-to decision. Our consultation questions are:

- Q1: Do you agree with our minded-to position to provide ECF for the eight projects?
- Q2: Do you agree with our proposed modification to adjust ASTIA<sub>t</sub> in Appendix 1 of SpC 3.41?

1.3 Our assessment and minded-to position set out in this document are subject to our consideration of any consultation responses and we invite stakeholders to respond using the contact details set out on the front of this document.

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<sup>7</sup> [Decision on accelerating onshore electricity transmission investment](#), Table 2

<sup>8</sup> [Network Options Assessment \(NOA\)](#)

<sup>9</sup> TKUP is a joint venture ASTI project with Scottish Power Transmission Plc. SHET's ECF application is solely for SHET's ECF activities.

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## Related publications

- 1.4 Decision on accelerating onshore electricity transmission investment:  
[Ofgem.gov.uk/publications/decision-accelerating-onshore-electricity-transmission-investment](https://www.ofgem.gov.uk/publications/decision-accelerating-onshore-electricity-transmission-investment)
- 1.5 Decision to modify the special licence conditions in the electricity transmission licences and corresponding Associated Document: Accelerated Strategic Transmission Investment, Accelerated Strategic Transmission Investment Guidance And Submission Requirements Document:  
[Ofgem.gov.uk/publications/decision-modify-special-licence-conditions-electricity-transmission-licences-accelerated-strategic-transmission-investment](https://www.ofgem.gov.uk/publications/decision-modify-special-licence-conditions-electricity-transmission-licences-accelerated-strategic-transmission-investment)

## Consultation stages

Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
Consultation open	Consultation closes (awaiting decision). Deadline for responses	Responses reviewed and published	Licence modification decision	[if applicable – licence modifications come into effect]
22/03/2024	26/04/2024	Summer 2024	Summer 2024	56 days after the licence modification decision <sup>10</sup>

## How to respond

- 1.6 We want to hear from anyone interested in this consultation. Please send your response to the person or team named on this document’s front page.
- 1.7 We have asked for your feedback in each of the questions throughout. Please respond to each one as fully as you can.
- 1.8 We will publish non-confidential responses on our website at [www.ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations)

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<sup>10</sup> Section 11A(9) of the Electricity Act 1989

## **Your response, data and confidentiality**

- 1.9 You can ask us to keep your response, or parts of your response, confidential. We will respect this, subject to obligations to disclose information such as 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.
- 1.10 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 will 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.
- 1.11 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 contained within Appendix 4.
- 1.12 If you wish to respond confidentially, we will keep your response confidential, but we will publish the number (but not the names) of confidential responses we receive. We will not 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

- 1.13 We believe that consultation is at the heart of good policy development. We welcome any comments about how we have run this consultation. We would 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 written better?



**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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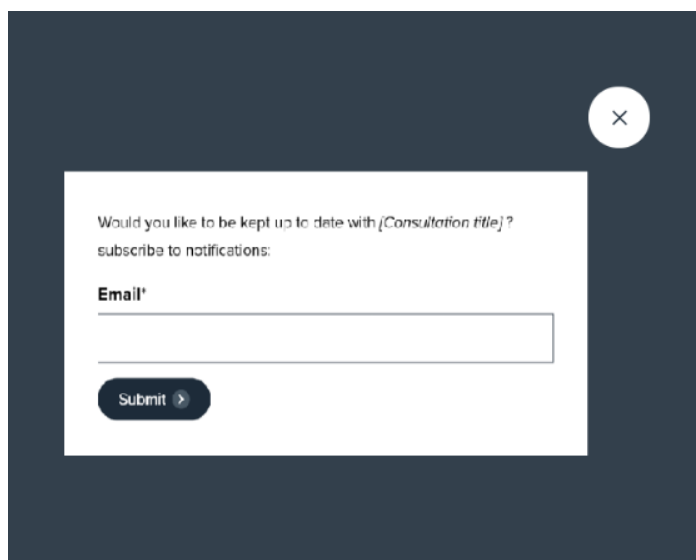
- 4) Were its conclusions balanced?
- 5) Did it make reasoned recommendations for improvement?
- 6) Any further comments?

1.14 Please send any general feedback comments to [stakeholders@ofgem.gov.uk](mailto:stakeholders@ofgem.gov.uk)

## How to track the progress of the consultation

1.15 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, [Ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations)

Notify me +



The image shows a dark-themed modal window with a white background for the form. At the top right of the modal is a close button (X). The form text reads: "Would you like to be kept up to date with [Consultation title]?" followed by "subscribe to notifications:". Below this is a label "Email:" and a text input field. At the bottom of the form is a "Submit" button with a right-pointing arrow.

1.16 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:

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

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## 2. Eight SHET projects Early Construction Funding assessment

### Section summary

This chapter sets out SHET's ECF application and our minded-to position.

### Questions

- Q1. Do you agree with our minded-to position to provide ECF for the eight projects?
- Q2. Do you agree with our proposed modification to adjust ASTIA<sub>t</sub> in Appendix 1 of SpC 3.41?

### Brief description of the eight projects

- 2.1 A map displaying the existing network and proposed new infrastructure as well as a brief description of the eight SHET projects is included in Appendix 3.

### ECF application

- 2.2 SHET made an application for ECF under Part C of SpC 3.41 of their licence to enable funding of early construction activities for eight projects. These activities align to strategic land purchases, early enabling works, and early procurement commitments.

Table 1: ECF application

*Funding application (percentages rounded up / down to the nearest whole percent)*

Project	Percentage of total project spend	Remainder of cap available
<b>BLN4</b>	6%	14%
<b>SLU4</b>	6%	14%
<b>BBNC</b>	3%	17%
<b>BPNC</b>	11%	9%
<b>BDUP</b>	14%	6%
<b>TKUP</b>	2%	18%
<b>PSDC</b>	7%	13%
<b>W.Isles</b>	5%	15%

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

### *Strategic land purchases*

<b>Project</b>	<b>Summary</b>
<b>BLN4</b>	<p>Land purchase and associated works for Beauly 2 substation and Loch Buidhe substation.</p> <p>Compensatory tree planting and associated works for Beauly 2 substation and Loch Buidhe substation.</p> <p>Compensatory tree planting for Loch Buidhe 400kV overhead line (OHL).</p>
<b>SLU4</b>	<p>Land purchase and associated works for Spittal substation.</p> <p>Compensatory tree planting and associated works for Spittal substation.</p> <p>Compensatory tree planting for cable connection between Spittal existing alternating current (AC) to Spittal AC substation (forestry).</p> <p>Compensatory tree planting for Loch Buidhe - Spittal 400kV OHL at associated forestry land.</p>
<b>BBNC</b>	<p>Land purchase and associated works for Blackhillock 2 substation and Beauly 2 substation.</p> <p>Compensatory tree planting for Beauly - Blackhillock 400kV OHL at associated Forestry land.</p>
<b>BPNC</b>	<p>Compensatory tree planting for Blackhillock - New Deer - Peterhead 400kV OHL at associated forestry land.</p> <p>Land purchase and associated works for New Deer substation, Peterhead 400kV substation, and Peterhead 132kV substation.</p>
<b>BDUP</b>	<p>Land purchase and associated works for Braco West substation, Fasnakyle substation, and Beauly 2 substation.</p> <p>Compensatory tree planting for Fasnakyle substation and Fort Augustus substation.</p>
<b>TKUP</b>	<p>Land purchase and associated works for Tealing 400kV substation busbar and Fiddes substation.</p>
<b>PSDC</b>	<p>Land purchase and associated works for Peterhead high voltage direct current (HVDC) convertor station and Spittal HVDC convertor site.</p> <p>Compensatory tree planting for Spittal to Peterhead cable connection on Forestry land from Landfall to Spittal.</p>
<b>W.Isles</b>	<p>Land purchase and associated works for Beauly HVDC convertor site and Western Isles - Lewis HVDC convertor site.</p> <p>Compensatory planting at Landfall Ardmair Bay to Beauly HVDC convertor (forestry).</p>

### *Early enabling works*

<b>Project</b>	<b>Summary</b>
<b>BPNC</b>	<p>Design the substation bay extension and secure manufacturing slots for 400kV gas insulated substation (GIS) bays at the existing New Deer 400kV busbar.</p>

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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**BDUP** Design the substation bay extension and secure manufacturing slots for two GIS bays at Kinardochy substation and two new transformers.

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**TKUP** Design the substation bay extension and secure manufacturing slots for two GIS 400kV bays at the Kintore 400kV busbar.

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#### *Early procurement commitments*

<b>Project</b>	<b>Summary</b>
<b>PSDC</b>	Awarding of HVDC converter station, cable, and civil supplier early design contracts. Engage with 3rd party infrastructure owners to develop crossing agreements.
<b>W.Isles</b>	Construction of a 2.0GW HVDC converter station adjacent to the high voltage alternating current (HVAC) substation on the Isle of Lewis.  Installation of c.170km (82km subsea and 88km underground cabling) of 2.0GW bipole HVDC cable from the Lewis HVDC converter station site to the Fanellan HVDC convertor station.  Construction of 2.0GW HVDC converter station at Fanellan, near Beauly, and provide connection to the adjacent proposed new HVAC 400kV substation.

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- 2.3 All eight projects have not had any previous Ofgem decisions made on their allowances. Furthermore, none of the eight projects were previously assessed via the Large Onshore Transmission Investments (LOTI) re-opener.
- 2.4 SHET has stated that this ECF submission is the first round of their ECF application. It has been submitted at this stage as SHET is satisfied that their plans have sufficiently progressed to make this submission. SHET has stated that further submissions will be made in due course.

#### **Strategic land purchases**

- 2.5 SHET notes that strategic land purchases help mitigate the risk posed by lengthy and complex landowner negotiations in order to keep programme delivery on track and help ensure that all necessary land purchases are completed ahead of the commencement of construction activities. SHET states that as well as mitigating delivery risks, acceleration of land purchase seeks to minimise the impact of the likely increase in competition for land from such parties as developers looking to situate projects close to substations thereby driving up overall costs. If securing land rights are delayed, then SHET notes that planning applications will be delayed which will have an impact on the start of works and on the overall programme meeting its delivery dates.

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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2.6 SHET includes compensatory tree planting within strategic land purchases because SHET states that all woodland cut down in relation to operational corridors for their new projects will require compensatory tree planting to an equivalent woodland area in order to meet the Scottish Government's 'Control of Woodland Removal'<sup>11</sup> policy. SHET also highlights that the introduction of the National Planning Framework 4<sup>12</sup> takes a similar stance. SHET notes that councils expect legal agreements to be in place to act as proof that SHET will deliver compensatory planning. For SHET to gain legal agreement, SHET states that landowners require SHET to fully commit to deliver the planting and that SHET compensate them in line with what they would be able to achieve by alternate means such as via the forestry grant scheme.

### **Early enabling works**

2.7 SHET states that their enabling work activities will contribute to reduce scheduling and cost risk on the projects throughout the design progression phase, and help them secure manufacturing slots. SHET notes that completing these works in advance of a project's main works will ensure timely project progression and avoid resource constraints during the construction phase.

### **Early procurement commitments**

2.8 SHET states that due to the accelerated nature of the ASTI projects, they are procuring HVDC cables, HVDC converters, and civils works earlier than they typically would. The current supply chain constraints have led to a lead time of three years for the above components and SHET states that early procurement and securing the supply chain will help accelerate the programme and mitigate against the risk of equipment being delivered after planned energisation dates.

### **Our Minded-to position**

2.9 SHET's ECF application for each project is within the maximum ASTI ECF allowance of 20% of the total forecast project cost for each project as set by SpC 3.41.8.

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<sup>11</sup> [The Scottish Government's Policy on Control of Woodland Removal](#), Criteria for determining the acceptability of woodland removal, pages 6-7, and Endnote, ix, page 19

<sup>12</sup> [National Planning Framework 4](#), 'Forestry, woodland and trees', Policy 6, paragraph (c), page 44

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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- 2.10 We consider that the activities identified by SHET fall within the ECF permitted<sup>13</sup> activity areas.
- 2.11 We note that land negotiations are lengthy and complex and agree with SHET's proposal to execute strategic land purchases wherever possible as part of early construction activities. We recognise that this helps reduce uncertainty, confirms project scope, and de-risks the overall programme. In addition, undertaking strategic land purchase negotiations and agreements at this stage helps ensure that all necessary land purchases are completed ahead of the commencement of construction activities.
- 2.12 Each of the early enabling work activities contributes to reducing overall schedule and cost risk on the projects through design progression and related works. This helps ensure timely progression of the projects' main works.
- 2.13 We also recognise that supply chain procurement of transmission infrastructure is constrained with increased procurement costs and elongated lead times for critical assets. Funding activities that ensure contractor commitment and delivery of long-lead items helps preserve the programme and de-risk the projects.
- 2.14 We agree with SHET that there is a risk to the main works contract if ECF is not approved. The changing supply chain situation across Europe has resulted in capacity reservation agreements becoming increasingly common to secure contractor commitment and their continued engagement on projects. ECF will enable early construction activities that are required in order to accelerate projects ahead of receiving planning permission, thereby helping to safeguard the overall programme and delivery of projects.
- 2.15 Our minded-to position is to approve SHET's full ECF application.

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<sup>13</sup> [Decision to modify the special licence conditions in the electricity transmission licences: Accelerated Strategic Transmission Investment](#), Accelerated Strategic Transmission Investment Guidance And Submission Requirements Document, paragraph 4.13

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## 3. Next steps

### Section summary

This chapter sets out the next steps in our assessment under the ASTI framework.

- 3.1 Our consultation on the positions set out in this document will close on 26 April 2024.
- 3.2 We aim to publish our ECF decision in summer 2024 and, subject to the outcome of the consultation, this will be alongside the decision to modify SHET's licence in accordance with section 11A of the Electricity Act 1989.
- 3.3 The proposed modifications to Appendix 1 of SpC 3.41 are set out in Appendix 1 of this consultation.

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## Appendices

<b>Appendix</b>	<b>Name of appendix</b>	<b>Page no.</b>
<b>1</b>	Notice of statutory consultation to modify SpC 3.41	17-18
<b>2</b>	Draft of proposed modifications to the Special Conditions of the electricity transmission licence held by Scottish Hydro Electric Transmission Plc	19-24
<b>3</b>	Map and brief description of the eight SHET projects	25-27
<b>4</b>	Privacy notice on consultations	28-29

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## **Appendix 1 – Notice of statutory consultation to modify SpC 3.41 of the Licence**

**To: Scottish Hydro Electric Transmission Plc**

### **Electricity Act 1989 Section 11A(2)**

#### **Notice of statutory consultation on a proposal to modify the Special Conditions of the electricity transmission licence held by Scottish Hydro Electric Transmission Plc**

1. The Gas and Electricity Markets Authority ('the Authority')<sup>14</sup> proposes to modify the Special Conditions (SpC) of the electricity transmission licence held by Scottish Hydro Electric Transmission Plc (SHET) granted or treated as granted under 6(1)(b) of the Electricity Act 1989 by amending an allowance value (ASTIA<sub>t</sub>) referenced in Appendix 1 (ASTI Price Control Deliverable) of SpC 3.41 (Accelerated strategic transmission investment Re-opener and Price Control Deliverable term (ASTIR<sub>t</sub>)).
2. In line with SpC 3.41.10 and the Accelerated Strategic Investment Guidance and Submission Requirements Document, we are proposing this modification because we are satisfied that SHET's Early Construction Funding (ECF) application:
  - a. has not exceeded the stated threshold of 20% of total forecasted project cost as set by SpC 3.41.8 and therefore strikes the appropriate balance between assisting acceleration and protecting consumers from potentially excessive cost exposure in the unlikely event that the projects do not progress;
  - b. was pre-empted by a notice in writing of SHET's intention to make the application under section 3.41.7 at least 8 weeks before SHET made the application; and
  - c. there is a clear justification for why it is in consumers' interests to provide funding for the proposed activities to take place ahead of our cost assessment as part of the PA process as the early construction activities will aid in accelerating project delivery.
3. The effect of the proposed modification is to adjust the allowances contained in the ASTI Confidential Annex as referenced in Appendix 1 (ASTIA<sub>t</sub>) of Special Condition 3.41 'Accelerated strategic transmission investment Re-opener and Price Control Deliverable term (ASTIA<sub>t</sub>)' in SHET's electricity transmission licence to allow SHET's ECF expenditure application. The proposed modification will be reflected in what will become the latest version, v1.1, of the ASTI Confidential Annex.
4. With the exception of the ASTI Confidential Annex, a copy of the proposed modification and other documents referred to in this Notice have been published on our website ([www.ofgem.gov.uk](http://www.ofgem.gov.uk)). Alternatively, they are available from [information.rights@ofgem.gov.uk](mailto:information.rights@ofgem.gov.uk)

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<sup>14</sup> The terms "the Authority", "we", "our" and "us" are used interchangeably in this document.

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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5. The full text of the proposed modification to Appendix 1 of SpC 3.41 is set out below in Appendix 2 with the text to be deleted marked with strikethrough and new text to be inserted shown double underscored. For reasons of commercial sensitivity, details of the amended allowance are confidential but will be issued to SHET in the updated ASTI Confidential Annex.
6. Any representations with respect to the proposed licence modification must be made on or before 05 April 2024 to: James Santos-Mansur, Office of Gas and Electricity Markets, 10 South Colonnade, Canary Wharf, London, E14 4PU or by email to [RIIOElectricityTransmission@ofgem.gov.uk](mailto:RIIOElectricityTransmission@ofgem.gov.uk) and marked for the attention of James Santos-Mansur.
7. We normally publish all responses on our website. However, if you do not wish your response to be made public then please clearly mark it as not for publication. We prefer to receive responses in an electronic form so they can be placed easily on our website.
8. If we decide to make the proposed modification, it will take effect not less than 56 days after the decision to modify the licence is published.

.....  
**Jourdan Edwards**  
**Interim Deputy Director, Onshore Networks**  
**Duly authorised on behalf of the**  
**Gas and Electricity Markets Authority**

**22 March 2024**

## **Appendix 2 – Draft of proposed modifications to Special Condition 3.41 of the electricity transmission licence held by Scottish Hydro Electric Transmission Plc**

**Deletions are shown in strikethrough and new text is double underlined.**

### **Special Condition 3.41 Accelerated strategic transmission investment Re-opener and Price Control Deliverable term (ASTIR<sub>t</sub>)**

#### **Introduction**

- 3.41.1 The purpose of this condition is to specify the value of the term ASTIR<sub>t</sub> (the accelerated strategic transmission investment Re-opener term). This contributes to the calculation of the Totex Allowance.
- 3.41.2 The effect of this condition is to:
- (a) specify the ASTI Outputs, delivery dates and allowances for the Price Control Deliverable;
  - (b) establish a Re-opener for the licensee to apply for an adjustment to the ASTI Outputs, delivery dates and allowances in Appendix 1 and the Minimum circuit availability standard after delivery in Appendix 2;
  - (c) provide for an assessment of the Price Control Deliverable; and
  - (d) establish the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document.
- 3.41.3 This condition also sets out the process the Authority will follow when making changes to Appendix 1 as a result of the Re-opener.

#### **Part A: Formula for calculating the accelerated strategic transmission investment Re-opener term (ASTIR<sub>t</sub>)**

- 3.41.4 The value of ASTIR<sub>t</sub> is derived in accordance with the following formula:

$$ASTIR_t = ASTIA_t - ASTIRA_t$$

where:

*ASTIA<sub>t</sub>* means the allowances in Appendix 1; and

*ASTIRA<sub>t</sub>* has the value zero unless otherwise directed by the Authority in accordance with Part G.

#### **Part B: ASTI Outputs**

- 3.41.5 The licensee must deliver the ASTI Outputs no later than 12 months after the delivery dates specified in Appendix 1.

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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3.41.6 After the ASTI Output has been delivered it must be operational and available for use by NGENSO for the period specified in Appendix 2 after application of the exclusions set out in Chapter 4 of the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document.

### **Part C: Early Construction Funding**

3.41.7 The licensee may, in respect of any ASTI Output, apply for an Early Construction Funding decision to adjust ASTIA<sub>t</sub>.

3.41.8 Unless the Authority directs otherwise, the aggregate allowances provided under paragraph 3.41.7 for any ASTI Output may not exceed 20% of the total forecast project cost listed in the ASTI Confidential Annex.

3.41.9 The licensee must notify the Authority in writing of its intention to make an application under 3.41.7 at least 8 weeks before making an application, unless the Authority directs otherwise.

3.41.10 A modification under this Part will be made under section 11A of the Act.

### **Part D: ASTI Project Assessment Decision**

3.41.11 The licensee may, in respect of any ASTI, apply for an ASTI Project Assessment Decision and an associated modification of Appendices 1 and 2 to:

- (a) specify or amend an ASTI Output, a delivery date and associated allowances; and
- (b) specify the minimum circuit availability standard after delivery for the relevant ASTI Output.

3.41.12 Unless the Authority otherwise directs, the licensee may only apply for an ASTI Project Assessment Decision after submission of all material planning consent applications.

3.41.13 A modification under this Part will be made under section 11A of the Act.

### **Part E: ASTI Cost And Output Adjusting Event**

3.41.14 The licensee may apply for a modification to the ASTI Outputs and allowances in Appendix 1 where it considers that there has been one or more ASTI Cost And Output Adjusting Event.

3.41.15 The licensee may only apply under this Part to modify allowances in Appendix 1 where:

- (a) expenditure has been caused to increase or decrease by at least the percentage specified in, or in accordance with, paragraph 3.41.17, calculated before the application of the Totex Incentive Strength, relative to the relevant allowance in Appendix 1 by the event or if there has been more than one event:
  - i. by each event;

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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- ii. if the Authority has directed that the events in relation to the relevant ASTI Output should count cumulatively towards the percentage threshold;; and
  - (b) the increase or decrease in expenditure is expected to be efficiently incurred or saved.
- 3.41.16 The licensee may apply under this Part to modify the ASTI Outputs in Appendix 1 only where there is a material change to the scope of the relevant ASTI project.
- 3.41.17 The percentage referred to in paragraph 3.41.15(a) is:
- (a) 5%; or
  - (b) such other percentage as the Authority may specify by direction.
- 3.41.18 An application under this Part must be made in writing and must:
- (a) include detailed supporting evidence that an ASTI Cost And Output Adjusting Event meeting the requirements set out in paragraphs 3.41.15, or where applicable 3.41.16, has occurred;
  - (b) set out the modifications requested to the ASTI Outputs or associated allowances in Appendix 1;
  - (c) explain the basis of the calculation for any proposed modification to the allowances in Appendix 1, which must be designed to keep, so far as is reasonably practicable, the financial position and performance of the licensee the same as if the ASTI Cost And Output Adjusting Event had not occurred; and
  - (d) include a statement from a technical adviser, who is external to and independent from the licensee, whether, considered in the context of the value of the ASTI Output, the proposed modification to the ASTI Output or associated allowances fairly reflects the effects of the ASTI Cost And Output Adjusting Event.
- 3.41.19 The Authority may make a modification under this Part where:
- (a) there has been an application under this Part;
  - (b) there has been an ASTI Cost And Output Adjusting Event in relation to the relevant ASTI;
  - (c) the requirements of paragraphs 3.41.14 to 3.41.18, where applicable, have been met; and
  - (d) the proposed modifications to Appendix 1 have the effect so far as is reasonably practicable of keeping the financial position and performance of the licensee the same as if the ASTI Cost And Output Adjusting Event had not occurred.
- 3.41.20 A modification under this Part will be made under section 11A of the Act.

**Part F: Modification of delivery date in Appendix 1 further to an ASTI ODI Penalty Exemption Period decision or ASTI ODI Target Date decision under Part B of Special Condition 4.9 (Accelerated strategic transmission investment output delivery incentive)**

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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3.41.21 The Authority will modify the delivery dates in Appendix 1 where it decides under Part B of Special Condition 4.9 (Accelerated strategic transmission investment output delivery incentive) to make a modification to the ASTI ODI Penalty Exemption Period or ASTI ODI Target Date in Appendix 1 of Special Condition 4.9.

3.41.22 A modification under this Part will be made under section 11A of the Act.

#### **Part G: Assessment of the Price Control Deliverable (ASTIR<sub>t</sub>)**

3.41.23 The Authority will, in accordance with the assessment principles set out in Part A of Special Condition 9.3 (Price Control Deliverable assessment principles and reporting requirements), consider directing a value for ASTIR<sub>t</sub> where the licensee has not Fully Delivered an output in Appendix 1.

#### **Part H: What process will the Authority follow in making a direction?**

3.41.24 Before making a direction under Part G the Authority will publish on the Authority's Website:

- (a) the text of the proposed direction;
- (b) the reasons for the proposed direction; and
- (c) a period during which representations may be made on the proposed direction, which will not be less than 28 days.

3.41.25 A direction in respect of Part G will set out:

- (a) the delivery status of the ASTI Output that has not been Fully Delivered;
- (b) the value of the ASTIR<sub>t</sub> term and the Regulatory Years to which that adjustment relates; and
- (c) the methodology and data that has been used to decide the delivery status and value of any adjustments to the ASTIR<sub>t</sub> term.

#### **Part I: Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document**

3.41.26 The licensee must comply with the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document.

3.41.27 The Authority will issue and amend the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document by direction.

3.41.28 The Authority will publish the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document on the Authority's Website.

3.41.29 The Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document will make provision about the detailed requirements for Parts C, D, E and F.

3.41.30 The Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document will also make provision about the detailed requirements under Special Condition 3.40 (ASTI Pre-Construction Funding Re-

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

opener, Price Control Deliverable and Use It Or Lose It Adjustment) and Special Condition 4.9 (ASTI output delivery incentive).

- 3.41.31 Before directing that the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document comes into effect, the Authority will publish on the Authority's Website:
- (a) the text of the proposed Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document;
  - (b) the date on which the Authority intends the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document to come into effect; and
  - (c) a period during which representations may be made on the text of the proposed Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document, which will not be less than 28 days.
- 3.41.32 Before directing an amendment to the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document, the Authority will publish on the Authority's Website:
- (a) the text of the amended Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document;
  - (b) the date on which the Authority intends the amended Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document to come into effect;
  - (c) the reasons for the amendments to the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document; and
  - (d) a period during which representations may be made on the amendments to the Accelerated Strategic Transmission Investment Guidance and Submissions Requirements Document, which will not be less than 28 days.

## Appendix 1

### ASTI Price Control Deliverable

ASTI Output	Delivery Date	Allowance (ASTIA <sub>t</sub> , £m)	ECF/PA
Beauly to Blackhillock 400 kV double circuit addition (NOA Code: BBNC)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>
Uprate the Beauly to Denny 275 kV circuit to 400 kV (NOA Code: BDUP)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>
Beauly to Loch Buidhe 400 kV reinforcement (NOA Code: BLN4)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>
New 400 kV double circuit between Blackhillock and Peterhead (NOA Code: BPNC)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

Eastern Scotland to England link: Peterhead to Drax offshore HVDC (NOA Code: E4D3)	31 December 2030		
Eastern Scotland to England 3rd link: Peterhead to the south Humber offshore HVDC (NOA Code: E4L5)	31 December 2031		
Spittal to Peterhead HVDC reinforcement (NOA Code: PSDC)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>
Loch Buidhe to Spittal 400 kV reinforcement (NOA Code: SLU4)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>
East Coast Onshore 400 kV Phase 2 reinforcement (NOA Code: TKUP)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>
Arnish to Beaully 1.8GW HVDC link (Western Isles)	31 December 2031	<u>Have the values given in the ASTI Confidential Annex</u>	<u>ECF</u>

**Appendix 2**

**ASTI Output availability standard**

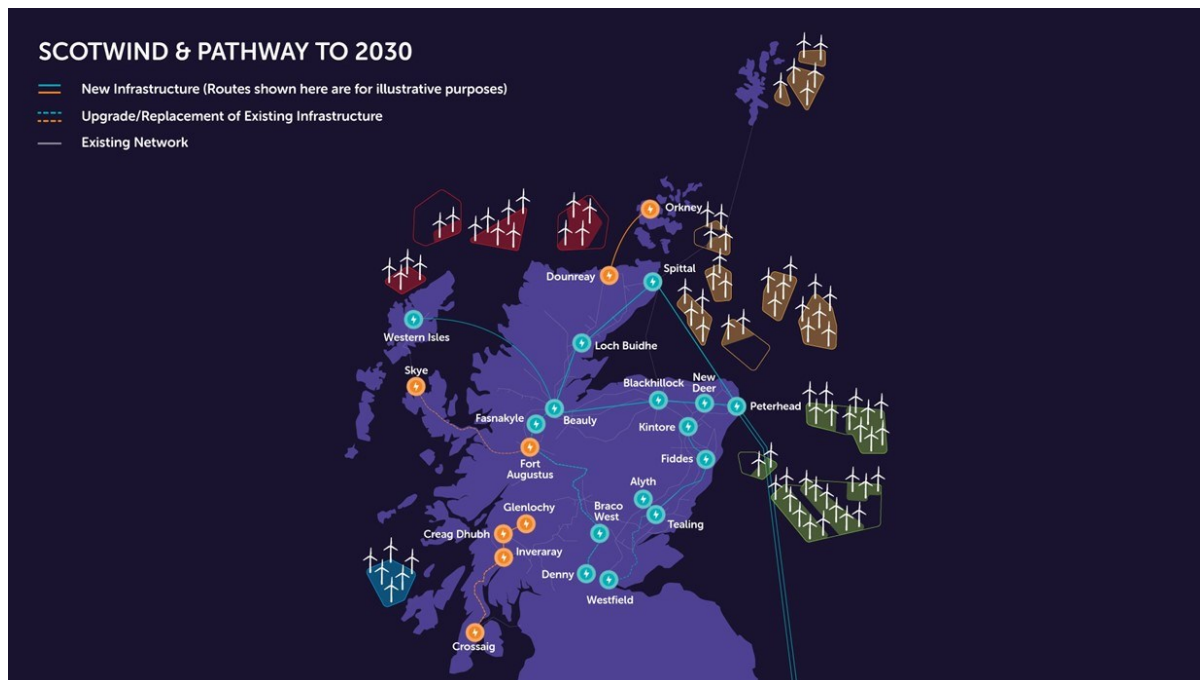
<b>ASTI Output</b>	<b>Minimum circuit availability standard after delivery (%)</b>		
	<b>0-6 months</b>	<b>6-12 months</b>	<b>12-24 months</b>
Beaully to Blackhillock 400 kV double circuit addition (NOA Code: BBNC)			
Uprate the Beaully to Denny 275 kV circuit to 400 kV (NOA Code: BDUP)			
Beaully to Loch Buidhe 400 kV reinforcement (NOA Code: BLN4)			
New 400 kV double circuit between Blackhillock and Peterhead (NOA Code: BPNC)			
Eastern Scotland to England link: Peterhead to Drax offshore HVDC (NOA Code: E4D3)			
Eastern Scotland to England 3rd link: Peterhead to the south Humber offshore HVDC (NOA Code: E4L5)			
Spittal to Peterhead HVDC reinforcement (NOA Code: PSDC)			
Loch Buidhe to Spittal 400 kV reinforcement (NOA Code: SLU4)			
East Coast Onshore 400 kV Phase 2 reinforcement (NOA Code: TKUP)			
Arnish to Beaully 1.8GW HVDC link (Western Isles)			



**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

## Appendix 3 – Map and brief description of the eight SHET projects

Existing network and proposed new infrastructure



Brief description of the eight SHET projects

*Note: NOA codes are in brackets*

Projects	Overview
Beauly to Loch Buidhe 400kV Reinforcement (BLN4)	Beauly to Loch Buidhe 400kV Reinforcement (BLN4) is an onshore electricity transmission project along with Loch Buidhe to Spittal 400kV Reinforcement (SLU4) to construct a new 170km 400kV double circuit OHL between Spittal 400kV substation and Beauly 400kV substation, a new 400kV substation at Loch Buidhe, a new 400 kV double busbar substation at Spittal, and reinforce existing substations at Loch Buidhe and Spittal. The project is triggered by the need for onshore transmission network enabling works for the connection of ScotWind schemes. Its aim is to enable significant power transfer capability required to transport power from onshore and offshore renewable generation connecting in Caithness to Beauly, and to the east via BBNC/BPNC, before onward transportation at Peterhead via Peterhead to Drax (E4D3) and Peterhead to South Humber (E4L5) to demand centres in England.

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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Loch Buidhe to Spittal 400kV Reinforcement (SLU4)	Same as above.
Beauly to Blackhillock 400kV Double Circuit (BBNC)	Beauly to Blackhillock 400kV Double Circuit (BBNC) is an onshore electricity transmission project, along with Blackhillock and Peterhead 400kV Double Circuit (BPNC), to construct new 110km 400kV double circuit OHL between new Beauly 400kV substation and new Blackhillock 400kV substation and 82km 400kV double circuit OHL between new Blackhillock 400kV substation, new New Deer 400kV substation and new Peterhead 400kV substation. Additionally, to construct new 400kV substations at Beauly, Blackhillock, New Deer, Peterhead, and a 132kV substation at Peterhead. The project is triggered by the need for onshore transmission network enabling works required to utilise E4D3 and E4L5. Its aim is to enable significant power transfer capability to transport power from onshore and offshore renewable generation connecting on the west – from the Arnish to Beauly 1.8GW HVDC link - and from connections north of Beauly (via BLN4/SLU4) – to the east before onward transportation at Peterhead via E4D3 and E4L5 to demand centres in England.
Blackhillock and Peterhead 400kV Double Circuit (BPNC)	Same as above.
Beauly to Denny 275kV Circuit to 400kV (BDUP)	<p>Beauly to Denny 275kV Circuit to 400kV (BDUP) is an onshore electricity transmission project to install infrastructure with the aim of allowing the existing Beauly Denny OHL second circuit to change operation from 275kV to 400kV, to construct new 400kV substations at Beauly 2, Fasnakyle, Fort Augustus, and Braco West, and to aim to extend Kinardochoy/ Errochty / Tummel substation. The project is triggered by the need for onshore transmission network enabling works for the connection of ScotWind schemes and Coire Glas.</p> <p>BDUP has key interactions with Beauly to Loch Buidhe 400kV reinforcement (BLN4) / Loch Buidhe to Spittal 400kV reinforcement (SLU4), Beauly to Blackhillock 400kV double circuit (BBNC) / Blackhillock and Peterhead 400kV double circuit (BPNC), Arnish to Beauly 1.8GW HVDC link. The Beauly 2 substation incorporates BLN4&amp;SLU4 /BDUP/BBNC schemes.</p>
East Coast Onshore 400kV Phase 2 reinforcement (TKUP)	East Coast Onshore 400kV Phase 2 reinforcement (TKUP) is an onshore electricity transmission project to construct 400kV substations at Tealing and Fiddes, extend Kintore substation, construct a new 106km 400kV double circuit OHL between Kintore-Fiddes and Tealing 400kV substations, reconductor and reinsulate the existing 38km of OHL to accommodate 400kV double circuit operation at Tealing to Glenrothes, reconductor and reinsulate the existing 38km of OHL to accommodate 400kV double circuit operation. The

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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project is triggered by the need to enable significant power transfer capability required to transfer from onshore and offshore renewable generation in the North and Northeast of Scotland which cannot wholly be accommodated by E4D3 and E4L5.

TKUP has key interactions with Beauly to Blackhillock 400kV double circuit (BBNC) / Blackhillock and Peterhead 400kV double circuit (BPNC), East Coast coordinated offshore network (via AC link from Fiddes).

Spittal to Peterhead 2GW HVDC Subsea link (PSDC)

Spittal to Peterhead 2GW HVDC Subsea link (PSDC) is an offshore electricity transmission project to construct a 2GW HVDC subsea link from a new 400kV substation at Spittal to a 400kV substation at Peterhead, including to construct 2GW bi-pole HVDC converter stations within the Spittal and Peterhead areas, establish HVAC connections, and install c.200 km of HVDC cables. The project is triggered by the need for onshore transmission network enabling works for the connection of ScotWind schemes and its aim is to enable power transfer capability to transport generation from the far north of Scotland to the east coast of Peterhead.

Arnish to Beauly (Western Isles) HVDC link

Arnish to Beauly (Western Isles) HVDC link is an offshore electricity transmission project to facilitate the transfer of 1.8GW of renewable generation from the Isle of Lewis in the Western Isles to the Beauly area in the North of Scotland. The project is triggered by the need for the Arnish to Beauly 1.8GW HVDC link to look to secure lower cost energy by connecting several onshore and offshore renewable wind projects.

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**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## **Appendix 4 – Privacy notice on consultations**

### **Personal data**

The Gas and Electricity Markets Authority is the controller (“Ofgem” for ease of reference). The Data Protection Officer can be contacted at [dpo@ofgem.gov.uk](mailto:dpo@ofgem.gov.uk)

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). It does not refer to 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 (“Ofgem” for ease of reference). The Data Protection Officer can be contacted at [dpo@ofgem.gov.uk](mailto: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**

N/A.

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

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

**Consultation** - Statutory consultation on eight SHET Early Construction Funding applications and corresponding proposed modification to Special Condition 3.41 of their electricity transmission licence

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## **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 your personal data corrected if it is inaccurate or incomplete,
- ask us to delete your personal data when we no longer need it,
- ask us to restrict how we process your personal data,
- get your personal data from us and re-use it across other services,
- object to certain ways we use your personal data,
- be safeguarded against risks where decisions based on your personal data are taken entirely automatically,
- tell us if we can share your personal information with 3rd parties,
- tell us your preferred frequency, content and format of our communications with you,
- lodge a complaint with the independent Information Commissioner's Office (ICO) if you think we are not handling your personal 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 "[Ofgem privacy promise](#)"