

Freedom of Information Officer
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By email: foi@ofgem.gov.uk

16 April 2020

Dear Freedom of Information Officer,

Subject: Requests for information

ClientEarth is a charity¹ that uses the power of the law to protect the environment. We are interested in better understanding Ofgem's decision-making framework in relation to emissions reductions, particularly relating to the Targeted Charging Review (**TCR**) decision released on 21 November 2019.² Set out below are a series of requests for environmental information to which we seek Ofgem's responses.

1. Please provide the assumptions (whether in a model or otherwise) Ofgem used in reaching the decisions relating to non-locational embedded benefits set out in Chapter 4 of the TCR released on 21 November 2019 (**TCR Decision**) pertaining to the:
 - (a) greenhouse gas emissions intensity of:
 - (i) new-build closed-cycle gas turbines (including mid- and up- stream emissions where appropriate); and
 - (ii) electricity imported into the United Kingdom through interconnectors,
 - (b) financial costs and benefits of distributed generation (for example, any reduced system losses associated with distributed generation).
2. At paragraph 4.33 of the TCR Decision, Ofgem states 'if specific types of generation technology require additional support, to meet renewables targets for example, our view is this should be through explicit subsidy, not through distortions in network charges.' Please provide any communication between Ofgem and the Department of Business, Energy and Industrial Strategy or other public bodies discussing, or concerning specific measures to counteract, the adverse impacts of the TCR Decision on renewable energy.
3. Please provide any documents addressing whether Ofgem considers itself legally bound to make decisions that are aligned with the UK's greenhouse gas emissions reduction target of net zero emissions by 2050?³

¹ UK registered charity number: 1053988

² Updated on 18 December 2019.

³ As set out in the *Climate Change Act 2008* section 1. We understand that in making decisions, Ofgem takes into account the Social and Environmental Guidance issued by government, but that this Guidance was last issued before the 2019 target of achieving net zero by 2050, as noted at page 29 of Ofgem's Decarbonisation Programme Action Plan, published 3 February 2020.



We consider the information requested above to constitute environmental information under the *Environmental Information Regulations 2004* and that it should therefore be made available under regulation 5 of that instrument. However, this is not to be understood as in any way limiting the scope of our request.

We understand processing times for the above requests for environmental information and questions might be delayed due to COVID-19; if that is the case, please let us know within what timeframe Ofgem would be able to respond.

Yours sincerely,

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