



Karen Shiels & Liz Wilkin
Utility Regulator,
Queens House,
14 Queen Street,
Belfast,
BT1 6ED

12 June 2025

Re: Provision of Information requests

Dear Karen and Liz,

Background

SSE Airtricity writes in relation to the Utility Regulator's recent second consultation on modifications to licences in relation to Provision of Information (POI). This second consultation provided more detail on the rationale for the modifications and further clarity on the expected process for requests for information which was welcomed.

The purpose of this letter is to outline some reflections and considerations that SSE Airtricity views as essential to ensure that UR's modified information powers are embedded practically in a manner that is proportionate, reasonable and transparent. As such, we welcome the addition of 'reasonable' to the licence conditions and UR's commitment to this sentiment. We are in agreement that any request for information must be a proportionate, reasonable request which considers the resource impact on suppliers and should be justified in its assertion that it benefits consumers.

It is SSE's understanding that this licence modification would apply to future provision of information requests only, we would appreciate confirmation from UR on this aspect.

Upon reflection of the Request for Information process, below we detail some aspects which we consider prudent for the UR to give more clarity and guidance on.

Provision of Information requests

We welcome the clarity provided by the UR in the consultation on the Provision of Information requests and expectation for publication. Further considerations could be given to the context of the request, which will be particularly helpful where there is an intention to collect data on an ongoing basis.

Ongoing requests and need for consultation

One-off requests for information are quite often specific to a live query and can be time-sensitive, which means that there may not be time for consultation. However, where information will be collected and published and become a BAU activity for licensees, a formal consultation which allows suppliers to fully consider the request, including validation and approval of the data before sharing it with the UR is necessary. This should include any ad-hoc information requests which migrate to a BAU status. An example of this is monthly call centre metrics which originated as a one-off request.

Consultation is also important to allow suppliers to consider the request in full, as we may be better positioned to suggest a method of reporting or data set which would better suit the UR's intentions and answer any queries more completely. This could include provision of alternative data or evidence where possible to minimise burden on suppliers to provide this information.

Pre-publication consultation

It is essential that licensees are informed of any narrative included within a publication which draws on information submitted by, or pertaining to, licensees. This is particularly critical where definitions or interpretations of data can vary between licensees.

An example of where consultation worked well was the publication of REMM data which was subject to extensive, specific and detailed consultation. We would expect a similar approach to be in place for future publications.

Commercially sensitive information in the public domain

Before each new publication of information, we would expect an impact assessment to be completed, to establish that interests of licensees would not be "seriously and prejudicially affect[ed]". We would expect this assessment to be completed as standard due diligence prior to consideration of publication.

This review must be completed considering all information which has already been placed in the public domain i.e. a single data point being published in isolation by UR may not constitute a potential prejudicial effect or commercially sensitive information, however if the UR intends to make more data available this could have a cumulative effect leading to licensee harm.

In the consultation, UR mentions that "Should we wish to publish information relating to a particular company, Article 7 requires us to consult with the company in advance of deciding whether to publish the information or not." However, a company may still be identifiable in an aggregated data set, particularly where it can be combined with company reports or other data already published by the UR. As such, the UR must consult with licensees before *any* publication so that the potential impact can be considered, not just where the company is explicitly named, noting the small scale of the NI market.

Data handling and retention


One aspect that requires attention is the retention and deletion policy of the UR. Under GDPR, SSE Airtricity operates a data minimization principle whereby data is only held for the period where we have a sufficient legal basis. Given the UR may be privy to large amounts of data it is important that an appropriate, time-limitation principle is applied.

In addition, we note that the consultation is silent on the sharing of data with third parties, it is our expectation, that the licensee would be consulted and necessary consent would be obtained. We would appreciate confirmation from UR of this.

Finally, as most information is submitted electronically to UR, a cyber security risk assessment must also be completed to ensure data is transferred and stored securely. Data minimisation and cyber security minimisation principles help to manage risk for all parties. We would also expect as the UR grows that a secure portal is put in place for secure transfer of data. This would provide additional cyber security for transfers and also a centralised repository for data provided to UR, reducing duplication of requests from multiple teams within UR.

We are available for follow-up discussions to address any questions or clarifications needed regarding our considerations on this process.

Yours sincerely,



 SSE Airtricity