

Balancing and Settlement Code

Process for requesting BSC data

Version 1.0

Date: 24 June 2021

Process for requesting BSC data

1. Reference is made to the Balancing and Settlement Code for the Electricity Industry in Great Britain and in particular, BSC Sections B, H, and V
2. This is Version 1.0 of the process for requesting BSC data
3. This document is effective from 24 June 2021.
4. This document has been approved by the Panel.

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AMENDMENT RECORD

Version	Date	Description of Changes	Changes Included	Mods/Panel/ Committee Refs
1.0	24/06/2021	Designated version	P398	P314/11

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INTRODUCTION

Scope and Purpose of the Process for Requesting BSC data

The Main Users of the Process for requesting BSC data are:

- a) All BSC Parties
- b) All BSC Agents
- c) All BSC Party Agents
- d) BSC Company (BSCCo)
- e) BMRS Change Board (BCB)

Review Procedure and Change Process

For the purposes of BSC Procedure BSCP40 (Change Management) this document is a Category 3 BSC Configurable item, meaning that it is not subject to the Modification Procedures in Section F 'Modification Procedures' of the BSC, or the Change Proposal process described in BSCP40. The Panel has agreed the following process for amendments to this document:

- It is the Panel, or its delegated authority's, decision whether to review or change the process but, BSCCo, BSC Parties or the NETSO can request them to do so;
- The Panel, or its delegated authority, may request assistance from the BSCCo e.g. in analysing whether a change is needed;
- The Panel, or its delegated authority, can agree a change to the process based on recommendations by the BSCCo or the NETSO. It does not need to consult with BSC Parties to introduce a change but may choose to do so; and
- This document is owned by BSCCo. Changes to this document will be drafted by BSCCo following Panel, or its delegated authority, agreeing a change to the process or to any other part of this document.

Reviewing data release arrangements

The BCB will periodically review the contents of this document. The first review will be no later than 24 June 2022, with subsequent reviews no longer than 24 months apart.

This document may be changed as required, and a review can be called for at any time. A review may be called for by the BSC Panel, BCB or BSCCo.

For clarity, the review periodicity will be the maximum period between reviews. In determining the periodicity of reviews, the following shall be considered:

- Time since last review
- Number of requests received since last review and impact on BSCCo resources
- Number of appeals raised since last review
- Complexity of requests since last review
- Best practice adopted by third parties
- Any risks that have been identified with the existing process

- Input from the BSC Panel or BSC Panel sub-committees
- In particular input from the PAB in relation to Settlement Risks

The above list is not exhaustive and is intended for guidance.

SECTION 1 – BACKGROUND

In November 2017 the Secretary of State for Department for Business, Energy and Industrial Strategy (BEIS) presented the UK's Industrial Strategy. The Strategy pledged to 'set Grand Challenges to put the United Kingdom at the forefront of the industries of the future'. The first four [Grand Challenges](#) are intended to focus 'on the global trends which will transform our future'. One of the Grand Challenges is concerned with Artificial Intelligence and Data; this Modification is concerned with the data aspect of that Great Challenge.

BEIS and Ofgem published a joint policy paper in July 2017: '[upgrading our energy system: smart systems and flexibility plan](#)'. In October 2018, they published a progress update to their policy paper and within this; they established the Energy Data Taskforce ([EDTF](#)). The purpose of the EDTF was to 'look across the energy sector, identify gaps where data can be used more efficiently and make clear, actionable, recommendations for Government, Ofgem and industry.' In June 2019, the EDTF published their report '[A Strategy for a Modern Digitalised Energy System](#)' with five recommendations:

1. Digitalisation of the Energy system – 'Government and Ofgem should direct the sector to adopt the principle of Digitalisation of the Energy System in the consumers' interest'
2. Maximising the value of data – 'Government and Ofgem should direct the sector to adopt the principle that Energy System Data should be Presumed Open'
3. Visibility of data – 'A Data Catalogue should be established to provide visibility through standardised metadata of Energy System Datasets across Government, the regulator and industry.'
4. Co-ordination of Asset registration – 'An Asset Registration Strategy should be established to coordinate registration of energy assets, simplifying the experience for consumers'
5. Visibility of Infrastructure and Assets – 'A unified Digital System Map of the Energy System should be established'

In order to implement recommendation two, the BSC Panel raised BSC Modification P398 on 12 December 2019. P398 was approved by the Authority on 3 February 2021 and implemented on 24 June 2021. This document sets out the process by which data can be requested.

Who can request data?

BSC data can be requested by anybody – there is no requirement to be a BSC Party, Party Agent, BSC agent or connected with the BSC or wider energy industry in anyway.

The BSC Panel has delegated responsibility for data requests to the BCB other than where mentioned in this document.

SECTION 2 – REQUESTING DATA

What is data?

BSC Section H defines data in the following way:

‘data or information held by, or on behalf of, BSCCo and which is received, produced or sent by or on behalf of Parties under the Code (including, for the avoidance of doubt, by BSC Agents and Party Agents) for the purposes of Settlement but excluding any data or information that the Code explicitly identifies as confidential’

Prior to BSCCo making any recommendations to the BCB, they shall ensure that they have ‘ownership’ of any data passed to them by a third party and, if required, they shall consult with the third party as to consent to publish as part of a wider data set (and ensure any legal arrangements are in place if required).

To be explicitly clear this means any data held by BSCCo or BSC Agents that relates to BSCCo’s activities under the BSC. Any data that is held by Elexon pertaining to non-BSC matters is not subject to the process laid out in this document. Examples of this may include staff salaries or activities pertaining to its business activities or its subsidiaries that is separate to its role as BSCCo.

Submitting a request

The data request form on the BSC Website must be used when requesting data. Submitters should follow the instructions on the form as to what is required in each of the form’s fields. The request form will contain the following fields:

- Requester’s name*
- Requester’s Company/organisation (if applicable)*
- Requester’s contact details*
- A description of what data is being requested*
- When the data is required by*
- Reason for request, including (where applicable) the perceived industry benefit for making the data publically available*
- If data being requested is third party data

*Indicates mandatory field

Once completed, the request form should be submitted digitally, or e-mailed to analysis.insight@elexon.co.uk. The BSCCo will acknowledge receipt and carry out a ‘critical-friend’ review before providing feedback to the submitter, including potential changes to make the request easier to comply with, and an indication of timelines.

Accessing data

While the BSCCo has access to an abundance of data, occasionally it may need to call on a BSC Agent to provide data they hold in relation to BSC activities. The BSC Agent may be asked to provide an impact assessment in relation to time and cost. This in turn will inform whether a request should be processed.

The BSCCo will indicate to the submitter if this is required and build this in to the predicted timescale for processing the request.

Data Triage

Data requests will be triaged to determine the ‘openness’ of the data requested if the data were to be released in its existing format. BSCCo do this to consider whether the data set could cause issues. The triage categories are:

- Consumer Privacy – A person who can be identified from the information requested – either directly or indirectly in combination with other information
- Negative Consumer Impact – Likely to drive actions that will negatively impact consumers
- Security – Creates incremental, or exacerbates existing, security issues which cannot be mitigated via sensible security protocols such as physical site security, robust cyber security or buffer databases
- Commercial – Relates to the private administration of a business or, data not collected as part of an obligation by a regulated monopoly and would not have been originated or captured without the activity of the organisation

These are the categories recommended by the EDTF and represent industry best practice.

Data Classification

Once triaging has taken place, the data requested will be classified into one of the following categories:

- Open – Available for all to use, modify and distribute subject to the conditions in the open data licence
- Public – Publicly available but with some restrictions on usage
- Shared – Available to a limited group, possibly with some restrictions on usage
- Closed – Only available within a single organisation

These are the classifications recommended by the EDTF and represent industry best practice.

Data Mitigation

In order to make data accessible, BSCCo will attempt to apply mitigating actions to the data so that it can be released. Mitigation methods may include, but are not limited to:

- Redaction - Removal of sensitive data
- Anonymisation - Removal of personal data
- Aggregation - Combine data sets so the collective sum is less sensitive
- Limitation - Only share with specific individuals or group
- Noise - Combine original data with dummy data to confuse readers
- Delay - Wait until data is less sensitive before sharing
- Differential privacy - Obscuring the data in such a way as to mask identities
- Shift/rotate - Altering the position or orientation of spatial or time series data
- Randomisation - Making random changes to data
- Normalisation - Modifying data to reduce the difference between individual subjects

These are mitigations recommended by the EDTF and represent industry best practice.

Once mitigation has been applied, it will be re-classified and, if necessary, further mitigation may be considered. Mitigation will not be applied until the BCB has determined that the requested data can be released.

It may be necessary to mitigate data for publication to reduce the classification, but an unmitigated dataset may be provided to the requester confidentially in order for the requester to make use of the data set – it is envisaged that this would be a rare exception and the BCB should consider this in their determination.

SECTION 3 – DATA RELEASE CONSULTATION

Prior to the BCB making a determination on whether to release requested data, the BSCCo shall issue a consultation to industry for no more than 15 Working Days (WD). The consultation will follow a standard format and shall include, but not be limited to:

- Initial triage and classification – BSCCo’s initial assessment of the requested data set
- Proposed mitigation – How BSCCo proposes to mitigate the data to make it more open (if applicable) and what the subsequent triage and classification shall be
- Benefits – What will be the benefits to BSC Parties, wider industry, and/or requester should the requested data be released
- Impacts – What will be the impacts to BSC Parties, wider industry, and/or requester should the requested data be released
- Duplication – Whether BSCCo is aware of similar data sets produced by themselves or other organisations
- Coupling – Whether the data set could be coupled with other data sets (published by BSCCo or others) for commercial, nefarious or other purposes
- Risk – What (if any) will be the risk to Settlement, BSCCo and Industry members as applicable
- Costs – What will be the cost for the BSCCo in terms of time and money to create the data set. This will include BSC agent costs as well as any ongoing costs if applicable.
- Periodicity – Whether the data set is proposed to be re-published at given intervals, or as a one-off
- Review period – How often the BCB should review whether the data set remains extant or whether it will be published in perpetuity to be reviewed by exception
- Additional information – Anything else that the BSCCo feels pertinent to allow respondents to make an informed decision
- Recommendation – BSCCo’s initial recommendation to BCB

Ofgem are developing a central data base of data available in the industry. This will be consulted in relation to duplication and coupling once available.

Responding to a consultation

The consultation shall be run as a ‘negative response’ consultation. That is, it will be assumed that there are no objections if a response is not received.

Responses will be accepted in any format. While a template will be provided, a response as a free text e-mail, or other means of communication will be accepted. Responses to consultations should be sent to analysis.insight@exxon.co.uk, please ensure it is clear which data request consultation you are responding to.

SECTION 4 - OPENNESS AND TRANSPARENCY

All requests for data will be published on the BSC Website, however the requester's details and reasons may be subject to triage, classification and mitigation. This is because a company may not wish for their peers to know they are requesting data and/or why they are requesting data as it may be indicative of wider commercial activity.

Submitters of data requests should indicate to BSCCo whether they wish to be anonymous.

All consultation responses will be published, but will be subject to triage, classification, and mitigation will be applied to responses at the request of the respondent if, for example, the respondent requires some of their response to remain confidential.

Determinations (regardless of outcome) will be published on the BSC Website, including the reason for the BCB's determination. Again, triaging etc. will be applied to this notification if deemed applicable based on the data requester's wishes and/or BCB's determination. For example, if it has been determined that the notice should not name the requester (Triaged as commercial in confidence) then their name can be removed (anonymisation mitigation), but the full notification, without anonymisation may be shared with Ofgem if requested (shared classification).

SECTION 5 - BCB'S ROLE

The BCB shall determine whether a requested data set shall be released and whether any mitigating action shall be applied. The BCB will be presented with BSCCo's recommendation and consultation responses (if any) to assist with their determination. When making its determination the BCB shall consider each of the items listed in the bullet points above pertaining to the consultation.

Where approval to publish is not granted, the BCB will normally recommend actions to achieve approval, and the request may return for consideration at a subsequent meeting. If further changes are suggested by the BCB, the default position will be that another consultation will be issued; unless the change is deemed by the BCB to be of minor or inconsequential nature such that it would not be in industry's interest to re-consult.

Cost threshold for making determinations

The BCB is required to defer decisions to the BSC Panel where the cost to produce the data set will be £150,000 or more. This is commensurate with thresholds established for other BSC Panel sub-committees.

BCB Terms of reference

The BCB's terms of reference are published on the BSC Website – these include its responsibilities regarding the release of BSC data and align with this document.

SECTION 6 - SECURITY CONCERNS

Where there is a belief that releasing certain data, or even acknowledgement of the existence of that data, could cause security concerns, BSCCo and/or the BCB will not hesitate to refuse the request outright.

We do not envisage any scenario where this could happen, but if, at some point in the future this should change, Ofgem and/or the National Cyber Security Centre (via Ofgem or direct) will be consulted for advice.

SECTION 7 - BCB DIRECTED DATA RELEASE

In addition to determining whether requests for data should be granted, the BCB may direct BSCCo to prepare data sets for release. Reasons for making such a direction may include, but not be limited to:

- Carrying out of direction from the BSC Panel;
- Following request from another BSC Committee;
- Following a request from BSCCo; and
- At their own discretion if they feel it will better facilitate the BSC's operation and/or the Applicable BSC Objectives

Any directed data releases will follow the procedures elsewhere in this document, specifically:

- Critical friend analysis
- Triage
- Classification
- Mitigation
- Further classification and/or mitigation if required
- Impact assessment
- Consultation
- BSC consideration
- Next steps

SECTION 8 - APPEALS PROCESS

All BCB determinations (regardless of the determination) shall be subject to appeal.

Any BSC Party, or non-BSC Party may appeal. The window to appeal is 15 Working Days. This means that the earliest any data set may be published is 16 WD after the BCB's determination.

An appeal may be lodged by anybody by communicating to the BSCCo that they wish to appeal, and in doing so provide a reason for their appeal.

Following receipt of an appeal, the data set will not be published until the BSC Panel has considered the appeal. The BSC Panel will consider the appeal at its next meeting following the appeal being submitted provided the appeal is received by the Panel 5 Working Days before the next scheduled meeting (otherwise it will be considered in the meeting after). The BSC Panel may also consider the appeal at a later meeting if there are reasonable circumstances to delay such review (this shall be agreed between the appellant and the BSC Panel Secretary – or suitable deputy).

BSCCo will publish a notice on the BSC Website that an appeal has been lodged and will notify relevant interested Parties. The notice of appeal will include the details of the appeal and reason for appeal. The notice of appeal will also include the next steps, including the date of the BSC Panel meeting to consider the appeal.

The appellant may attend the BSC Panel meeting at which their appeal is considered (subject to BSC Panel attendance rules), and the BSC Panel may invite them to attend, and they may oblige anyone subject to compliance with the BSC to attend if they feel it is appropriate.

SECTION 9 - REVIEW OF DATA SETS

The BCB will be able to review and amend data classifications and mitigations for data sets that have already been published. This should occur as required and/or at the Panel or BCB's discretion. It may be instigated as the result of condition of publishing or if requested by a connected person or group e.g. BSCCo, a BSC Party or the BSC Panel.

Publishing and rescinding of data

Following the BCB's determination that a requested data set may be published, BSCCo will prepare the data set and apply the mitigations directed by the BCB as part of its determination.

Data sets shall be named in such a way that their content, origin and purpose is readily apparent; meta data shall amplify this, as well as making the data set as discoverable as possible on internet search engines.

Within one WD of the BCB's determination, BSCCo shall publish a notification of the determination, and that the appeals window is open. This shall include information on how to appeal (see above) and when the appeals window will close – this notification shall be based on the notification made by BSCCo in relation to Self-Governance Modifications.

At the end of appeal window (i.e. 16WD after the BCB's approval), BSCCo shall publish a notification that the appeals window is closed and that the data set will be published as per the report submitted to the BCB.

Where it is brought to the attention of the BCB that a data set's publication should be discontinued, a determination shall be made at the next BCB meeting. However, should BSCCo consider that publication should desist before then, they shall carry out the required actions and report such to the BCB at its next meeting. The BCB shall then either affirm BSCCo's actions or give direction otherwise to either re-publish in entirety or carry out mitigating actions prior to re-publishing.

SECTION 10 - RECORD KEEPING

BSCCo maintains a log of all data requests, which is published on the BSC Website quarterly as a routine report i.e. a single snapshot of all requests and their outcomes.

SECTION 11 - COSTS FOR PUBLISHING DATA

The decision to approve publication where the costs exceed £150,000 will rest with the BSC Panel and the BCB will pass such decision, with a recommendation on whether to approve publication to the BSC Panel. This threshold is based on the threshold for other BSC Panel committees to pass approval to the BSC Panel when considering BSC Change Proposals.

The BSC Panel will consider whether the benefit for the industry as a whole (and not just BSC Parties) outweighs the cost of publication. As with any other data decision, refusal to publish based on cost is subject to appeal, albeit the appellant will be asking the BSC Panel to re-consider their own decision.

BSC Section H retains the right for the BSC Panel to charge for the release of data should they feel this should become required at some point in the future. Should the BCB wish to exercise the BSC Section H option, they will need to change this document and seek approval to change their terms of reference too.