



Reference: RFI 1801014

**Request:**

1. Please confirm the name of the organization who implemented/operates your framework agreement for electricity, gas and water.

**The North East Procurement Organisation, (NEPO) implemented and operates our electricity and gas framework agreements. There is not a water framework agreement in place. NEPO implement and operate our current water retail agreement with our default provider and will be responsible for undertaking our water retail competition in 2018.**

2. Please confirm the name of the supplier's appointed to supply electricity, gas and water to sites within your Local Authority area using the framework.

**Details of the suppliers appointed for the supply of gas and electricity and the start and end date of the agreements can be found at the links below**

<https://www.nepo.org/solutions/electricity>

<https://www.nepo.org/solutions/gas>

3. Please confirm the start and end dates of the framework for electricity, gas and water in the below table:

**Details of the suppliers appointed for the supply of gas and electricity and the start and end date of the agreements can be found at the links below**

<https://www.nepo.org/solutions/electricity>

<https://www.nepo.org/solutions/gas>

Utility	Current Supplier	Start Date	End Date
Water			
GAS			
NHH Electricity			
HH Electricity			

4. Please confirm the full details of each individual site within your Local Authority area that are supplied electricity and gas through the framework agreement.

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**This information is exempt from disclosure under regulation 43(2) of the Act where disclosing the information would, or would be likely to prejudice the commercial interests of any person including the public authority holding it. This is a qualified exemption which requires the application of the public interest test to determine whether or not the information should be released.**

5. Please confirm the termination requirements for a site within your Local Authority area to exit the framework for electricity, gas and water supply contracts.

**The termination requirement and the date at which a user of the framework must provide notice to exit the framework is commercially sensitive as it forms a Framework Agreement (a commercial agreement) between NEPO and the contracted suppliers. As this information contains confidential information and is commercially sensitive, disclosure would prejudice NEPO and the suppliers commercial interests as knowledge of termination clauses may allow competitors to focus their efforts around certain sites providing them with commercial advantage. Furthermore the termination requirements specifically designed by NEPO and then used in legal agreements have commercial value to NEPO in their own right. As a consequence, I have determined that the information requested is exempt from disclosure by virtue of Section 43(2) of the 2000 Act.**

6. Please confirm the date at which a new site and supply within your Local Authority area must provide notice to be added to the framework.

**Eligible sites can be added to the Framework Agreement at any time**

7. Please confirm whether the Local Authority receives any form of commission/rebate or any payment from the supplier because a site within your Local Authority area is being supplied electricity or gas through the framework as p/kWh

**A rebate is returned to NEPO from the contracted suppliers. This rebate is then distributed to the NEPO member authorities. The rebate received by the Council and the way this is calculated is commercially sensitive to NEPO as it forms a Framework Agreement (a commercial agreement) between NEPO and the contracted suppliers. Disclosure of this information would prejudice NEPO and the supplier's commercial interests as this figure represents a fee in a commercial agreement which would provide competitors with a commercial advantage. As a consequence, I have determined that the information requested is exempt from disclosure by virtue of Section 43(2) of the 2000 Act.**

8. Please provide the name and full contact details of the person at the Council who is responsible for the framework agreement for electricity and gas.



North Tyneside Council

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**By providing you with this information does not permit you to use it for direct marketing purposes or to send unsolicited emails or faxes. To do so may place them in breach of Section 11 of the Data Protection Act 1998 or Regulations 20-23 of the Privacy and Electronic Communications (EC Directive) Regulations 2003 as amended.**

**Additional Information**  
**Section 43 Exemption**

In order for this exemption to be engaged three criteria must be met:-

1. The actual harm which the public authority alleges would, or would be likely to, occur if the withheld information was disclosed has to relate to the applicable interests within the relevant exemption.
  2. The public authority must be able to demonstrate that some causal relationship exists between the potential disclosure of the information being withheld and the prejudice which the exemption is designed to protect.
- Furthermore, the resultant prejudice which is alleged must be real, actual or of substance.

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