

From: [Hughes, Seamus](#)
To: [Willis, Adele](#)
Cc: [Wightman, Stuart](#)
Subject: FW: RHI non domestic draft amendment regs
Date: 21 July 2015 16:08:41
Attachments: [The Renewable Heat Incentive Scheme and Domestic Renewable Heat Incentive Scheme \(Amendment\) Regulations \(Northern Ireland\) 2015.tr5](#)

Adele

Thank you for all your sterling work on this drafting. Please see comments etc on the TRIM document, I think we are almost good to go.

Stuart and I were chatting about the periodic support payment changes and we are suggesting the revised text below for that section. If you are content can you please insert and tidy up the other bits?. DSO may well offer a different/better form of wording for this section but this covers the issue to the best of our understanding.

Many thanks

Regards

Seamus

Seamus Hughes

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From: Wightman, Stuart
Sent: 21 July 2015 15:44
To: Hughes, Seamus
Subject: RE: RHI non domestic draft amendment regs

Seamus, I suggest to make our intentions clearer for DSO we replace 36 (7) & (8) with three new paras as shown below.

What are your thoughts?

St

Payment of periodic support payments to participants

This sectionnoteType=Explanatory Memorandum has no associated

36.—(1) Periodic support payments shall accrue from the tariff start date and shall be payable for 20 years.

(2) Periodic support payments shall be calculated and paid by the Department.

(3) Subject to regulation 42(5) and paragraph (7) the tariff for an accredited RHI installation shall be fixed when that installation is accredited.

(4) Subject to paragraph (7), the tariff for a participant who is a producer of biomethane is the biomethane and biogas combustion tariff set out in Schedule 3.

(5) Subject to paragraphs (6) and (7), the tariff for an accredited RHI installation is the tariff set out in Schedule 3 in relation to its source of energy or technology and installation capacity.

(6) For the purposes of paragraph (5), where the accredited RHI installation is one of a number of plants forming part of the same heating system its installation capacity is to be taken to be the sum of the installation capacities of that accredited RHI installation and all plants for which an application for accreditation has been made (whether or not they have been accredited) which—

(a) use the same source of energy and technology as that accredited RHI installation; and

(b) form part of the same heating system as that accredited RHI installation.

(7) The tariffs for installations accredited before 5th October 2015—

(a) for the period beginning with the commencement of these Regulations and ending with 31st March 2013, are the tariffs set out in Schedule 3; and

(b) for each subsequent year commencing with 1st April and ending with 31st March, are the tariffs applicable on the immediately preceding 31st March adjusted by the percentage increase or decrease in the retail prices index for the previous calendar year (the resulting figure being rounded to the nearest tenth of a penny, with ~~any twentieth of a penny~~ and nearest twentieth of a penny with the tariff adjusted to whichever is the greatest value being rounded upwards).

(8) The tariffs for installations accredited from 5th October 2015 ~~without preliminary approval from the Department—~~

(a) for the period beginning with 5 October and ending with 31st March 2016, are the tariffs set out in Schedule 3A, subject to paragraph 11; and

(b) for each subsequent year commencing with 1st April and ending with 31st March, are the tariffs applicable on the immediately preceding 31st March adjusted by the percentage increase or decrease in the retail prices index for the previous calendar year (the resulting figure being rounded to the nearest tenth of a penny, with any twentieth of a penny being rounded upwards).

(9) The tariffs for proposed installations accredited from 5th October 2015 ~~with preliminary approval by the Department-~~

(a) for the period beginning with 5 October and ending with 31st March 2016, are the tariffs set out in Schedule 3; and

(b) for each subsequent year commencing with 1st April and ending with 31st March, are the tariffs applicable on the immediately preceding 31st March adjusted by the percentage increase or decrease in the retail prices index for the previous calendar year (the resulting figure being rounded to the nearest tenth of a penny, with

any twentieth of a penny being rounded upwards).

(810) The Department must calculate the tariff rates each year in accordance with paragraphs (7), (8) and (9) and publish on or before 1st April of each year a tables of tariffs for the period commencing with 1st April of that year and ending with 31st March of the following year.

(11) Where an accredited RHI installation receives the medium biomass tariff as set out in Schedule 3A—
(a) the tariff for the initial heat generated by the installation in any 12 month period commencing with, or with the anniversary of, the date of accreditation is the tier 1 tariff specified in Schedule 3A; and
(b) the tariff for all further heat generated in that same 12 month period is the relevant tier 2 tariff.

(12) For the purposes of paragraph (11), “the initial heat” means the heat in kWh generated by an accredited RHI installation running at its installation capacity for 1,314 hours and “further heat generated” means the heat in kWh generated by an accredited RHI installation running at its installation capacity after the initial heat period of 1,314 hours.

(13) For the purposes of paragraphs (8) and (9), “preliminary approval by the Department” means proposed installations that have received a preliminary approval certificate issued by the Department confirming that an installation is at an advanced stage and therefore eligible for payments under Schedule 3.”

From: Hughes, Seamus
Sent: 21 July 2015 14:15
To: Wightman, Stuart
Subject: FW: RHI non domestic draft amendment regs

Stuart

As discussed Adele has done a sterling job in re drafting these Regs and we can hopefully get off to DSO tomorrow. I would welcome your thoughts before we finalise particularly in relation to my comment at regulation 8 about tariff schedules?

I will print you off a hard copy for ease of reference.

Regards

Seamus

Seamus Hughes

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From: Willis, Adele
Sent: 21 July 2015 13:56
To: Hughes, Seamus
Cc: Wightman, Stuart
Subject: RE: RHI non domestic draft amendment regs

Seamus,

As discussed please find attached amended draft for your consideration.

Thanks

Adele

From: Hughes, Seamus
Sent: 21 July 2015 11:28
To: Willis, Adele
Cc: Wightman, Stuart
Subject: RHI non domestic draft amendment regs

Adele

Our previous conversation refers. Could we work something along the following lines into the Regs perhaps?

“The tariffs outlined in schedule 3x shall apply to all new applications received after 5 October 2015, except in circumstances where applicants are in receipt of a DETI compliance certificate in which case tariffs in schedule 3y shall apply”.

We would need to define a compliance certificate too I suppose.

Just a thought for the mix.

Regards

Seamus

Seamus Hughes

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