

**Charles McRobert**

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**From:** Hutchinson, Peter <Peter.Hutchinson@detini.gov.uk>  
**Sent:** 21 September 2012 10:30  
**To:** Alan Bissett; Stewart, Susan  
**Cc:** David Trethowan; McCutcheon, Joanne  
**Subject:** RE: Draft RHI Regs 11 09 12

Alan,

Many thanks for this – we have passed on these Regs to Ofgem as the ‘final’ version and asked that if they have any further queries that they should liaise directly with yourself and David. The point re Regulation 23 has been drawn to their attention and I have asked that, if they are convinced the wording should be changed they should provide a revised draft asap.

One final point for your consideration relates to the definition of the NIRO, we spoke briefly on this on Tuesday. I would be grateful if you would confirm whether references in the Regulations to “NIRO” should be taken to refer to the NI Renewables Obligation in its original form or whether it should be taken to be the Order as amended by the amending instruments. Ofgem has advised that in GB it would have to be interpreted and applied on the basis that the amending instruments should be taken into account, as per the provisions of the GB Interpretation Act. Ofgem are seeking confirmation on whether the NI position re interpretation should be the same.

Thanks in advance,

Peter

**Peter Hutchinson**

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*The new website for the European Sustainable Competitiveness Programme for NI is now available - visit [www.eucompni.gov.uk](http://www.eucompni.gov.uk)*



[www.ni2012.com](http://www.ni2012.com)

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**From:** Alan Bissett [<mailto:alan.bissett@arthurcox.com>]  
**Sent:** 19 September 2012 19:47  
**To:** Stewart, Susan  
**Cc:** David Trethowan; McCutcheon, Joanne; Hutchinson, Peter  
**Subject:** RE: Draft RHI Regs 11 09 12

Susan