



Northern Ireland
Assembly

E-mailed to: private.office@economy-ni.gov.uk

Ref: JA/PM/Economy/7601
Department for the Economy
Netherleigh
Massey Avenue
Belfast
BT4 2JP
15th December 2016
Dear Minister,

Re: Non-Domestic Renewable Heat Incentive Scheme

I have a number of queries arising from EU Commission approval of the above scheme as reflected in this Commission document issued on 12 June 2012:

http://ec.europa.eu/competition/state_aid/cases/244651/244651_1375577_58_1.pdf

Paragraph 25 records "Only 'useful heat' is eligible for payment under the RHI scheme This eliminates any incentive for deliberately wasting heat to receive payments."

Paragraph 34 says, "In order not to provide perverse incentives to waste heat, each reference installation is calibrated to have a specific load factor and the tariff is calculated with reference to that load factor."

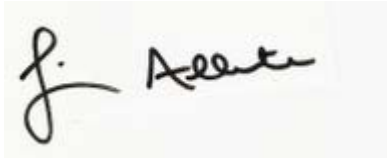
My first query is to invite you to confirm that the Commission was able to reach these conclusions on the basis of information and assurances provided by DETI? And, where and how can that be accessed?

Secondly, where precisely within the various regulations governing the scheme and within the standard letter of offer, are the provision for the stipulations approved by the Commission in paragraphs 25 and 34? Thus, where is the "useful heat" condition stipulated and the referenced calibration provided for within the regulations governing the scheme?

Finally, in terms of the contractual relationship between the department and the beneficiaries am I right to conclude that the defining document is the letter of accreditation issued to each approved applicant.

I would appreciate as early a response as possible.

Yours Sincerely

A handwritten signature in black ink on a light-colored background. The signature consists of a stylized initial 'J' followed by the name 'Allister' written in a cursive script.

J H Allister QC MLA