

Energy



**From:** Stuart Wightman  
Energy Division

**Date:** 26 February 2016

**To:** 1. Timothy Cairns  
2. Jonathan Bell MLA

**LMU 14-16 - QUERY FROM THE ETI COMMITTEE IN RELATION TO CLOSURE OF THE RENEWABLE HEAT INCENTIVE (RHI)**

**Issue:** Response to ETI committee query at its meeting on 16 February 2016 about the RHI.

**Timing:** A response has been requested by the ETI Committee Clerk by Tuesday 1 March 2016.

**Executive Committee Referral:** None

**PFG Implications:** The PSA targets for renewable heat are 4% by 2015 and 10% by 2020.

**Presentational Issues:** N/A

**FOI Implications:** Disclosable.

**Financial Implications:** None

**Legislation Implications:** N/A.

**Statutory Equality Obligations:** N/A.

**Recommendation:** That you approve the draft response for issue to the ETI Committee, **(Annex A)**.

**Background**

1. At the ETI Committee meeting on 16 February the Committee discussed the Renewable Heat Incentive and have asked the Department:
  - a. why only a short Explanatory note was provided to the Committee in advance of last week's meeting despite the full Explanatory Memorandum having been sent to the Assembly Business Office; and
  - b. for details of the reasons for the amendments contained in the revised Explanatory Memorandum.
  - c. Members also noted that the Agriculture and Regional Development Committee had written to the Department (LMUOC 01/16 refers) and asked that the Department copy the Committee into its response to the ARD Committee

**Response to ETI Committee**

2. The proposed response to the ETI Committee outlines the DETI officials' position in relation to consideration of the Phase II review of the RHI.

**Recommendation**

3. I recommend that you approve the draft response for issue to the ETI Committee (**Annex A**).

**STUART WIGHTMAN**  
**Energy Division**

cc: Andrew McCormick  
Chris Stewart  
Paul Dolaghan  
Rod Robson  
Seamus Hughes  
Sean Kerr  
Ian McCrea MLA  
DETI LMU  
Press Office  
Neth Energy

**ANNEX A****REQUEST TO DETI FROM THE ETI COMMITTEE**

At its meeting on 16 February 2016 the Committee discussed the Renewable Heat Incentive.

Members asked the Department:

- a. why only a short Explanatory note was provided to the Committee in advance of last week's meeting despite the full Explanatory Memorandum having been sent to the Assembly Business Office; and
- b. for details of the reasons for the amendments contained in the revised Explanatory Memorandum.
- c. Members also noted that the Agriculture and Regional Development Committee had written to the Department (LMUOC 01/16 refers) and asked that the Department copy the Committee into its response to the ARD Committee.

**DEPARTMENTAL RESPONSE**

- a. Due to the urgency required to progress the issue the normal processes, involving submission of an SL1 to the Committee, could not be followed. This is set out in the Minister's letter of 5 February 2016 to the Committee chair. The letter set out the reasons for the situation and legislation. The Explanatory Memorandum (normally supplied by to the Committee by Business Office along with the draft regulations) was not attached along with the draft regulations which, unusually, were attached. Apologies if this caused inconvenience.
- b. Minor changes to the Explanatory Memorandum were made to alter an incorrect reference to consultation to a reference to remarks made by the Minister during the Assembly Debate of November 2015. A couple of references to the Department were replaced by references to the Minister for accuracy.
- c. A copy of the Department's response to the ARD Committee will be provided to the Committee.

**Reply prepared by: Energy Division**

**Date: February 2016**