

From: [Wightman, Stuart](#)
To: [Moore, Stephen \(DETI\)](#)
Cc: [Willis, Adele](#); [Briggs, Peter](#); [Kelly, Andrea](#); [Hughes, Seamus](#)
Subject: RE: RHI State Aid Re-Notification - Draft position memo from John Mills to Chris Stewart
Date: 04 April 2016 16:32:48
Attachments: [image001.gif](#)

Thanks Stephen

We want to secure EC State Aid approval to our revised budget and November 2015 tariff changes as soon as possible, but we clearly need to follow the correct process whether this involves a full notification or not. However, given that the RHI tariff changes introduced in Nov 2015 have effectively reduced the level of state aid from what was previously approved, is it not possible we could use the Simplified Procedure to notify both this change and the increased budget levels?

As we've discussed, we are content to follow whichever notification route is required, but in the interests of trying to minimise the resource pressures on my team, I want to be sure that we cannot use the Simplified Procedure. I welcome your thoughts. Irrespective of which route we opt for, we need to move forward as soon as we can.

Thanks again for all your help.

Stuart

From: Moore, Stephen (DETI)
Sent: 04 April 2016 15:51
To: Hughes, Seamus
Cc: Wightman, Stuart; Willis, Adele; Briggs, Peter; Kelly, Andrea
Subject: RE: RHI State Aid Re-Notification - Draft position memo from John Mills to Chris Stewart

Seamus

Grateful if you could articulate more clearly just what it is you will be notifying and amplify your comment below that the re-notification concerns the November 2015 tariff changes?

For info, please find also attached the Simplified Procedure and the Environmental protection and energy guidelines.

Essentially, to be able to utilise the Simplified Procedure the Commission must agree that the proposed notification falls within one of the three categories (see below).

- (a) Category 1: Aid measures falling within the 'standard assessment' sections of existing frameworks or guidelines
- (b) Category 2: Measures corresponding to well-established Commission decision-making practice
- (c) Category 3: Prolongation or extension of existing schemes

If you were just increasing the budget, which would fall within Category 3, you could probably ask the Commission to consider utilising the Simplified Procedure.