

**From:** [McCoy, Laura](#) on behalf of [Hepper, Fiona](#)  
**To:** [Private Office DETI](#)  
**Cc:** [Thomson, David](#); [McCutcheon, Joanne](#); [Baxter, Clare](#); [McCune, David](#); [Hutchinson, Peter](#); [Sinton, Dan](#); [Aiken, Glynis](#); [Stewart, Susan](#); [Ross, Alastair](#); [LMU](#); [Neth Energy](#)  
**Subject:** FW: LMU 33/12 - Query from the ETI Committee in relation to the Renewable Heat Regulations SL1  
**Date:** 19 July 2012 14:56:43  
**Attachments:** [LMU 33 12 - Query from the ETI Committee in relation to the Renewable Heat Regulations SL1.DOCX](#)

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Private Office

Please see attached submission from Fiona Hepper for the attention of the Minister.

Thanks.

Laura McCoy  
Personal Secretary  
Department of Enterprise, Trade & Investment  
Netherleigh  
Massey Avenue  
Belfast, BT4 2JP  
Tel: 028 9052 9200 (ext: 29200)  
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**From: Fiona Hepper  
Energy Division**

**Copy Distribution List Below**

**Date: 18 July 2012**

**To: 1. Andrew Crawford  
2. Arlene Foster MLA**

**LMU 33/12: QUERY FROM THE ETI COMMITTEE IN RELATION TO THE  
RENEWABLE HEAT REGULATIONS SL1**

<b>Issue:</b>	<b>The ETI Committee have proposed to share information on the RHI, that was submitted in confidence along with the renewable heat regulations SL1 letter, with Action Renewables. Given that this information was provided with an FOI caveat the Committee has sought the Department's view before sharing to a third party.</b>
<b>Timing:</b>	<b>The ETI Committee has asked for a response by Tuesday, 24 July 2012.</b>
<b>Need for referral to the Executive:</b>	<b>Not applicable</b>
<b>Presentational issues:</b>	<b>None</b>
<b>FOI implications:</b>	<b>This submission is exempted under Section 35 of the Freedom of Information Act.</b>
<b>Financial Implications:</b>	<b>N/A</b>
<b>Legislation Implications:</b>	<b>N/A</b>
<b>PSA/PFG Implications:</b>	<b>None</b>
<b>Statutory Equality Obligations:</b>	<b>None.</b>
<b>Recommendation:</b>	<b>That you approve the draft response at Annex A.</b>

## Background

The ETI Committee have been briefed on a number of occasions as to the need for subordinate legislation to be introduced for the Northern Ireland Renewable Heat Incentive.

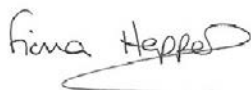
2. To this end a SL1 letter, outlining the purpose of the legislation, was first submitted to the ETI Committee on 13<sup>th</sup> April and considered at its meeting on 19<sup>th</sup> April. Following a request for further information, additional detail was provided on 9<sup>th</sup> May and officials from Energy Division briefed the Committee verbally on 24<sup>th</sup> May. At this stage, the Committee wished to delay a decision on the SL1 until the tariffs were cleared by the EU Commission and could be shared with the Committee. This information was therefore provided to the Committee on 28<sup>th</sup> June.

## Committee Request

3. At its meeting of 5<sup>th</sup> July the Committee briefly discussed the additional information provided, however did not clear the SL1 letter that would allow for the draft regulations to be laid during the summer recess. The Committee agreed that the information provided by the Department, including the tariff details and background to the scheme, should be shared with Action Renewables for their opinion to be gathered.
4. The information that had been shared with the Committee had been sent with a FOI caveat given that this area is still policy development, therefore the Committee has sought the Department's opinion on whether the information can be shared with Action Renewables.
5. On 19<sup>th</sup> July a press release issued that outlined the final proposals on the RHI and the expected next steps regarding implementation. In addition, information was placed on the DETI website relating to tariff levels, eligibility requirements and administrative arrangements. As this information is now in the public domain there is no reason why the ETI Committee cannot pass the aforementioned briefing document to Action Renewables.

## Recommendation

6. It is recommended that you approve the attached response to the ETI Committee Clerk (**Annex A**).



**FIONA HEPPEL**  
Energy Division  
(Ext 29215)

cc: David Thomson  
Joanne McCutcheon (o/r)  
Clare Baxter  
David McCune

Peter Hutchinson  
Dan Sinton  
Glynis Aiken  
Susan Stewart  
Alistair Ross MLA, APS  
DETI LMU

**ANNEX A****REQUEST FROM THE COMMITTEE**

*Members agreed to forward the correspondence, on the Renewable Heat Incentive, to Action Renewable for comment. The Committee has asked, as the paper issued from the Department with an FOI caveat, if the Department has any issues with the Committee's decision.*

**DEPARTMENTAL RESPONSE****Response to Committee request**

1. The Department, in seeking the Committee's support for the introduction of legislation to implement the Northern Ireland Renewable Heat Incentive (RHI), provided briefing on the key points on the scheme including the tariffs. This information was provided in confidence as this is policy work still in development.
2. The DETI Minister issued a press release on 19<sup>th</sup> July and advised stakeholders that the RHI scheme would be introduced once appropriate legislation is passed in the Assembly in autumn 2012. In addition, information on the eligibility standards and administrative arrangements was placed on the DETI website. As this information is now in the public domain, DETI is content for the briefing paper shared with the Committee to be passed to Action Renewables. Given the uncertainty in the renewable heat market, the need for incentives and a limited budget of £25m to 2015, it is essential that this scheme is launched as soon as possible.
3. Action Renewables were involved in the July 2011 consultation and a Departmental official spoke at an event arranged by them. Their response to the consultation is available on the DETI website. Action Renewables were in favour of the RHI but raised a number of issues including tariff levels and banding of technologies. Following the consultation, DETI sought to consider all issues raised by stakeholders and made revisions to the scheme, where evidence was presented to suggest a different position.
4. Following the summer recess, DETI will engage further with the Committee to seek passage of appropriate legislation to administer this scheme.

**Energy Division  
July 2012**

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