

From: [Hepper, Fiona](#)
To: [McLaughlin, Christine](#)
Cc: [McCutcheon, Joanne](#); [Hutchinson, Peter](#); [McCune, David](#); [Robson, Rod](#); [Murray, John](#)
Subject: FW: DETI SUB 375/12) Query from ETI Committee - Renewable Heat Regulations
Date: 25 July 2012 09:48:56
Attachments: [SUB 375 Query from the ETI Committee in relation to the Renewable Heat Regulations SL1.DOCX](#)
Importance: High

Christine

The Committee received a paper for us on 5th July (their last meeting) and it specifically referred to us having receipt of State Aid which is why we didn't repeat it in answering the question. However, I have now tracked a change in to specifically remind the Committee - see attached.

Fiona

Fiona Hepper

Head of Energy Division
Department of Enterprise, Trade & Investment
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www.ni2012.com

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From: McLaughlin, Christine
Sent: 24 July 2012 16:02
To: Hepper, Fiona
Cc: McCutcheon, Joanne; McCune, David; Neth_Energy
Subject: DETI SUB 375/12) Query from ETI Committee - Renewable Heat Regulations

Fiona

I refer to submission of 18 July 2012 (DETI SUB 375/12) Query from ETI Committee – Renewable Heat Regulations.

Andrew Crawford has made the following comments :

“Do we not need to make the point that this already got EU approval – may need a word with Committee chair before next meeting”

Grateful for your response in the form of an email please.

Many thanks

Christine McLaughlin

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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**

DETI SUB 375/2012

**QUERY FROM THE ETI COMMITTEE IN RELATION TO THE RENEWABLE
HEAT REGULATIONS SL1**

Issue: 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.

Timing: The ETI Committee has asked for a response by Tuesday, 24 July 2012.

Need for referral to the Executive: Not applicable

Presentational issues: None

FOI implications: This submission is exempted under Section 35 of the Freedom of Information Act.

Financial Implications: N/A

Legislation Implications: N/A

PSA/PFG Implications: None

Statutory Equality Obligations: None.

Recommendation: That you approve the draft response at Annex A.

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 13th April and considered at its meeting on 19th April. Following a request for further information, additional detail was provided on 9th May and officials from Energy Division briefed the Committee verbally on 24th 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 28th June.

Committee Request

3. At its meeting of 5th 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 19th 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 HEPPER
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

2.1. 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, [contained in the paper considered at the Committee meeting on 5 July](#), was provided in confidence as this is policy work still in development.

3.2 [Per paragraph 19 of the paper referred to above, Committee members will be aware that the EU Commission has considered the Department's RHI proposals and has indicated that these are compatible with the Guidelines on State Aid. This was the final approval required and, as this is contained in a formal letter from the Commission which they will publish,](#) the DETI Minister issued a press release on 19th 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.

4.3. 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.

5.4. Following the summer recess, DETI will engage further with the Committee to seek passage of appropriate legislation to administer this scheme.

Energy Division

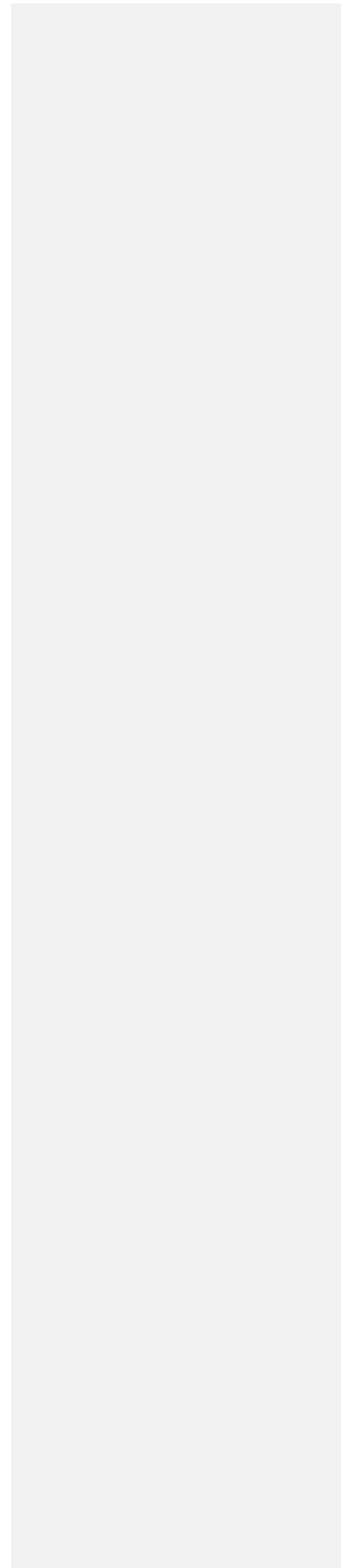
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July 2012



From: [Forsythe, Nicola](#)
To: [McCutcheon, Joanne](#)
Cc: [Hutchinson, Peter](#); [Sinton, Dan](#)
Subject: FW: Submission: SUB/375/2012 QUERY FROM THE ETI COMMITTEE IN RELATION TO THE RENEWABLE HEAT REGULATIONS SL1
Date: 02 August 2012 11:13:15
Attachments: [SUB 375 Query from the ETI Committee in relation to the Renewable Heat Regulations SL1.DOCX](#)
[SUB 375 Min Content.pdf](#)
[OTOP.png](#)

[Please see below for information](#)

Nicola Forsythe

Energy Co-ordination
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From: Damien.Hegarty@detini.gov.uk [mailto:Damien.Hegarty@detini.gov.uk]
Sent: 02 August 2012 10:59
To: Hepper, Fiona
Cc: Dolaghan, Paul; Neth_Energy; Sterling, David; Lewis, Colin; Thomson, David; Aiken, Glynis; Stevenson, Valerie; Baxter, Clare; DG_DETI Press Office; McCune, David; Robson, Rod; Murray, John; Clarke, Rosie; Hegarty, Damien; McLaughlin, Christine; Stevenson, Valerie
Subject: Submission: SUB/375/2012 QUERY FROM THE ETI COMMITTEE IN RELATION TO THE RENEWABLE HEAT REGULATIONS SL1

DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

Unclassified

From: Damien Hegarty
Private Office
To: Hepper Fiona (Mrs)
Date: 02/08/2012

Action Copy: cc Energy
McCune David (Mr)
Robson Rod (Mr)
Murray John (Mr)

Clarke Rosie (Ms)
Hegarty Damien (Mr)
McLaughlin Christine (Mrs)
Stevenson Valerie (Mrs)

SUB/375/2012:QUERY FROM THE ETI COMMITTEE IN RELATION TO THE
RENEWABLE HEAT REGULATIONS SL1

The Minister has seen and read your submission of 19/07/2012 and is content.

NB: David McCune will arrange for this briefing to go to the ETI Committee

Many thanks.

Damien Hegarty (Private Office)

Netherleigh House Tel: 29209

OffName