

From: [Wightman, Stuart](#)
To: [Mills, John \(DETI\)](#)
Cc: [Vaughan, Helen](#)
Subject: FW: GB Renewable Heat Incentive - potential amendment via the Infrastructure Bill
Date: 07 October 2014 13:58:50
Attachments: [image001.jpg](#)

fyi

From: Wightman, Stuart
Sent: 07 October 2014 13:21
To: Irrelevant information redacted by the RHI Inquiry
Cc: Sinton, Dan; Hughes, Seamus; Briggs, Peter
Subject: RE: GB Renewable Heat Incentive - potential amendment via the Infrastructure Bill

Irrelevant information
redacted by the RHI
Inquiry

I can confirm that under the primary power for the NI Regulations (Section 113 of the Energy Act 2011) we already have the flexibility to appoint an administrator other than Ofgem. However, we are supportive of the other two proposed amendments and would be interested in similar changes to Section 113 of the Energy Act 2011. Firstly the ability to make payments to a third party could prove to be particularly helpful for Energy Service Companies (ESCO) to get involved in the market. Secondly, the ability to make changes to the legislation via negative resolution would also be welcomed. We already have a number of minor change we need to make to our Non-domestic RHI Regulations.

Can you please confirm if it would be possible for DECC to also amend the NI RHI enabling powers (Section 113 Energy Act 2011) and make these changes through the Infrastructure Bill?

Happy to discuss.

Thx

Stuart Wightman

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From: Irrelevant information redacted by the RHI Inquiry
Sent: 06 October 2014 14:27
To: Wightman, Stuart
Cc: Sinton, Dan; Hughes, Seamus; Briggs, Peter
Subject: RE: GB Renewable Heat Incentive - potential amendment via the Infrastructure Bill

Stuart

No problem – yes, the intention would be that the amended primary legislation would apply to both schemes.

Irrelevant information
redacted by the RHI
Inquiry

From: Wightman, Stuart [<mailto:Stuart.Wightman@detini.gsi.gov.uk>]
Sent: 06 October 2014 14:25
To: Irrelevant information redacted by the RHI Inquiry
Cc: Sinton, Dan; Hughes, Seamus; Briggs, Peter
Subject: RE: GB Renewable Heat Incentive - potential amendment via the Infrastructure Bill

Irrelevant information redacted by the RHI Inquiry, thanks very much for the update. Can you please confirm if the proposed changes are to be made to both the domestic and non-domestic regulations?

Thanks

Stuart

Stuart Wightman

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Energy Division
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From: Irrelevant information redacted by the RHI Inquiry
Sent: 03 October 2014 14:49
To: Stuart.Wightman@detini.gsi.gov.uk
Cc: Irrelevant information redacted by the RHI Inquiry
Subject: GB Renewable Heat Incentive - potential amendment via the Infrastructure Bill

Hi Stuart

Apologies for contacting you rather out of the blue, Melanie James passed on your contact details as I understand you cover the Renewable Heat Incentive in NI.

You may be aware that an [amendment](#) was tabled by Baroness Eaton on the GB RHI during the passage of the Infrastructure Bill, just before the summer recess. Baroness Verma agreed to take it away and consider it further.

We have consulted our Ministers over the summer and they are minded to table a similar provision later during the passage of the Infrastructure Bill. I expect a courtesy for information letter to issue from our Minister to yours in the next week or so and wanted to give you a heads up before it arrived.

In summary, the changes would:

- (i) Allow for the assignment of payments made under the RHI to a third party. Under the current powers only the owner of the renewable heating system can receive the payments from the scheme.
- (ii) Allow the Government to appoint an alternative administrator to deliver the RHI. Under the current powers, the scheme may only be delivered by Ofgem or the Secretary of State. Our Ministers have previously committed publicly to amend the primary legislation to allow the


role to be delivered by another body to ensure value for money and the highest possible delivery standards.

- (iii) Allow the Government to make some changes to the existing secondary legislation for the RHI using the negative as opposed to affirmative resolution procedure. The existing legislation states that affirmative resolution must be used to make any changes to the RHI Regulations. We are considering allowing some changes to be made via negative as opposed to affirmative resolution, as this would make the scheme more able to respond to changes in the market and would also reduce the amount of time/resource required for small changes.

Do let me know if you require any further information. I have copied in the leads for each of the elements should you have any more detailed questions.

Thanks

Irrelevant information redacted by the RHI Inquiry



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