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Cc: [David Trethowan](#); [Stewart, Susan](#)
Subject: Northern Ireland RHI - Draft Regulations
Date: 08 July 2011 10:51:27
Attachments: [DETI working copy - RHI \(NI\) Regulations.DOC](#)

Alan,

Thank you for your work to date on the draft Regulations for the Northern Ireland RHI. We have made some drafting changes to your most recent submission and tried to deal with many of the issues you had raised through footnotes. Please see attached the current working copy that we are using, for your records.

One issue that we would need clarity is in regards to dates included in schedule 2, highlighted on the attached. Grateful if you would cite where these dates come i.e. why they are included in the GB regs? I am assuming they relate to previous legislation on biomass sustainability.

We intend to append this working draft to the consultation on the design of the Northern Ireland RHI, this is currently with our Minister but we are hopeful that it will issue in the next couple of weeks. You will see that we have included a caveat at the front to highlight that these are a very early draft and will need revision following consultation and the final design of the policy to take into account the specific issues within the NI RHI. These specific issues are likely to include:

- Types of technologies, with ASHPs and Bioliqids potentially included;
- Tariff levels;
- Treatment of AD facilities that currently receive incentives for renewable electricity under the NIRO;
- Eligibility of the heavy industrial sector (defined as those sites classified under the EUETS); and
- Co-firing within the heavy industrial sector.

We will therefore shortly be raising another work request on this issue. This request will be for final draft regs which will then be considered by DSO. It is likely that we will need these regs end October/mid November(once the consultation is complete). In the work request I would propose a staged request, eg;

- By end August - Revised regs to take account of the recent GB revisions that you previously mentioned
- By end September – Revised regs to take account of specific issues included in NI RHI, as per the consultation document.
- By end October/mid November – Final draft regs following public consultation and decision on final policy design.

We will seek to raise a work order in the next week or so.

Thanks in advance for your assistance in this matter.

Peter

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