

From: [Moore, Stephen](#)
To: [Ireland Rebecca \[FCO GSI UKREP Brussels\]](#)
Cc: [Porter Kate \(CCP\)](#); [Ryan, Damien](#); [Hutchinson, Peter](#); [McCutcheon, Joanne](#); [Hepper, Fiona](#); [Gemma.Cook@fco.gov.uk](#)
Subject: RE: Renewable Heat Initiative - NI scheme State Aid notification
Date: 26 January 2012 10:47:45
Attachments: [copy of SANI form.pdf](#)
[Picture \(Metafile\) 1.jpg](#)

Rebecca

I understand from Kate that you are looking after our Renewable Heat Initiative notification.

Colleagues in Energy Division are getting a bit anxious as we haven't heard anything back yet from the Commission.

Its been a month now since we submitted the pre-notification, could you make a few enquiries please?

Many Thanks

Stephen

Stephen Moore

European Support Unit
Department of Enterprise, Trade & Investment
Netherleigh
Massey Avenue
Belfast, BT4 2JP
Tel: 028 9052 9415 (ext: 29415)
Textphone: 028 9052 9304
Web: www.detini.gov.uk



www.ni2012.com

Please consider the environment - do you really need to print this e-mail?

From: Moore, Stephen
Sent: 11 January 2012 16:50
To: Gemma.Cook@fco.gov.uk
Cc: 'Porter Kate (CCP)'; Ryan, Damien; Hutchinson, Peter; McCutcheon, Joanne; Hepper, Fiona
Subject: Renewable Heat Initiative - NI scheme State Aid notification

Gemma

I appreciate that the UK has a lot of environmental cases in the system at present, but we would be keen to get build up some momentum on our Renewable Heat Initiative notification.

Any word yet?

If it would help, I will be over in Brussels on Wed 8th and Thur 9th Feb for the Regional Aid multilateral and I might be able to fit in a short meeting with the casehandlers.

Happy to discuss.

Stephen

Stephen Moore

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<< OLE Object: Picture (Metafile) >>

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From: Moore, Stephen
Sent: 21 December 2011 12:21
To: 'Porter Kate (CCP)'
Cc: Carr, Paul; Ryan, Damien; Hepper, Fiona; Hutchinson, Peter; McCutcheon, Joanne
Subject: TRIM: RE: Renewable Heat Initiative - NI scheme State Aid notification

Kate

Many thanks

Stephen

Stephen Moore

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Please consider the environment - do you really need to print this e-mail?

From: Porter Kate (CCP) [<mailto:Kate.Porter@bis.gsi.gov.uk>]
Sent: 21 December 2011 12:20
To: Moore Stephen ()
Cc: Carr, Paul; Ryan, Damien; Hepper, Fiona; Hutchinson, Peter; McCutcheon, Joanne
Subject: RE: Renewable Heat Initiative - NI scheme State Aid notification

Gemma's validated these now, so we should get an acknowledgement soon.

She informs me that there was an "invest NI development fund" GBER form which has also been done now.

Kate

Renewable Heat Initiative (Northern Ireland) 2012 - 2020

Provisional number:

Last Update: 21/12/2011 12:46

Status of the pre-notification

Does the information transmitted on this form concern :

notification pursuant to Article 108 (3) EC Treaty?

Do you accept the invitation to treat your notification under the Notice on a Simplified Procedure (category 3, Point 5 (c) of the Notice) ? (OJ C 136, 16.06.2009)

No

1. Identification of the aid grantor**1.1. Member State concerned:**

United Kingdom

1.2. Region(s) concerned (if applicable):

Northern Ireland

1.3. Name of the granting authority:

Name	Address	Web	Phone	Fax
Department of Enterprise Trade and Investment for Northern Ireland	Massey Avenue, Belfast, BT4 2JP	www.detini.gov.uk	+44 28 9052 9415	

1.4. Responsible contact person:

Name	Address	Tel	Fax	Email
Stephen Moore	Department of Enterprise Trade and Investment for Northern Ireland Massey Avenue, Belfast, BT4 2JP	+44 28 9052 9415		stephen.moore@detini.gov.uk

1.5. Responsible contact person at the Permanent Representation:

Name	Tel	Fax	Email
UKREP			

1.6. If you wish that a copy of the official correspondence sent by the Commission to the Member State should be forwarded to other national authorities, please indicate here their name and address:

None

1.7. Indicate Member State reference you wish to be included in the correspondence from the Commission:**2. Identification of the aid****2.1. Title of the Aid :**

Renewable Heat Initiative (Northern Ireland) 2012 - 2020

2.2. Brief description of the objective of the aid.

Please indicate primary objective and, if applicable, secondary objective(s):

Primary objective:

Environmental protection

Secondary objective(s):

Energy saving

Renewable Energy

2.3. Scheme - Individual aid**2.3.1. Does the notification relate to an aid scheme ?**

Yes

- If yes, does the scheme amend an existing aid scheme ?

No

2.3.2. Does the notification relate to individual aid ?

No

2.3.3. Does the notification relate to an individual aid or scheme notified pursuant to an exemption regulation ?

No

3. National Legal Basis**3.1. Please list the national legal basis including the implementing provisions and their respective sources of references:**

Title:

Energy Act 2011

Reference (where applicable):

Part 3 - Measures for reducing carbon emissions - Northern Ireland: renewable heat incentives.

3.2. Please indicate the document(s) enclosed with this notification:

A copy of the relevant extracts of the final text(s) of the legal basis

 No (and a web link, if possible)

None

A copy of the relevant extracts of the draft text(s) of the legal basis

Yes (and a web link, if possible)

(and a web link, if possible)

Link

<http://www.legislation.gov.uk/ukpga/2011/16/part/3/crossheading/northern-ireland-renewable-heat-incentives/enacted>

4. Beneficiaries

4.1. Location of the beneficiary(ies):

in (a) region(s) eligible for assistance under Article 107(3)(c) EC Treaty (specify at NUTS-level 3 or lower)

Region

NORTHERN IRELAND

4.2. Sector(s) of the beneficiary(ies)::

NACE code

0 - Not sector specific

Nace other:

4.4. In case of an aid scheme:

Type of beneficiaries:

All firms

the following beneficiaries:

Estimated number of beneficiaries:

Over 1000

5. Amount of aid / Annual expenditure / Maximum aid intensity

In case of a scheme, indicate the annual amount of the budget planned and the overall amount (in million national currency):

Annual amount

- Split by year ?

Yes

Amount	Currency	Year
4.50	million(s) Pound Sterling	2012
6.75	million(s) Pound Sterling	2013
10.75	million(s) Pound Sterling	2014
14.25	million(s) Pound Sterling	2015
19.50	million(s) Pound Sterling	2016
27.75	million(s) Pound Sterling	2017
38.25	million(s) Pound Sterling	2018
50.00	million(s) Pound Sterling	2019
13.25	million(s) Pound Sterling	2020

Overall amount:

185.000000 million(s) Pound Sterling

For tax measures, please indicate the estimated annual and overall revenue losses due to tax concessions for the period covered by the notification:

- Split by year ?

No

million(s) Pound Sterling

If the budget is not adopted annually, please specify what period it covers (year of expiry):

2012 - 2020

If the notification concerns changes to an existing scheme, please give the budgetary effects of the notified changes to the scheme:

Maximum aid intensity of the individual aid or the aid scheme:

%

6. Form of the aid and means of funding

Specify the form of the aid made available to the beneficiary (where appropriate, for each measure):

Other. Please specify.

The beneficiaries receive support based on metered output. The support is meant to compensate for the additional costs of renewable heat compared to the costs of a conventional fossil fuel boiler.

For each instrument of aid, please give a precise description of its rules and conditions of application, including in particular the rate of award, its tax treatment and whether the aid is accorded automatically once certain objective criteria are fulfilled (if so, please mention the criteria) or whether there is an element of discretion by the awarding authorities:

Specify the financing of the aid: if the aid is not financed through the general budget of the State/region/municipality, please explain its way of financing:

Other (please specify).

The Northern Ireland Renewable Heat Initiative scheme will be funded from the budget of the Northern Ireland Executive.

7. Duration

7.2. In the case of a scheme:

Indicate the date from which on the aid may be granted:

01/04/2012

Indicate the last date until which aid may be granted:

31/03/2040

If the duration exceeds six years, please demonstrate that a longer time period is indispensable to achieve the objective(s) of the scheme:

Renewable heat Initiative contracts of 20 years are necessary to ensure the supported projects are economically viable. DETI understands that the Environmental Aid rules do not allow approval for more than 10 years and undertake to notify the scheme again after 10 years.

Decision date of European Commission:

No

8. Cumulation of different types of aid

Can the aid be cumulated with aid received from other local, regional, national or Community schemes to cover the same eligible costs?

No

9. Professional Confidentiality

Does the notification contain confidential information which should not be disclosed to third parties?

No

If no, the Commission will publish its decision without asking the Member State.

10. Compatibility of the aid

10.1 Please identify which of the existing Regulations, frameworks, guidelines and other texts applicable to State aid provide an explicit legal basis for the authorisation of the aid (where appropriate please specify for each measure) and complete the relevant supplementary information sheet(s) in part II

Aid compatibility
Environment - Environmental Aid Guidelines 2008 - 2014

10.2 Where the existing Regulations, frameworks, guidelines or other texts applicable to State aid do not provide an explicit basis for the approval of any of the aid covered by this form, please provide a fully reasoned justification as to why the aid could be considered as compatible with the EC Treaty, referring to the applicable exemption clause of the EC Treaty (Article 106(2), Article 107(2) (a) or (b), Article 107(3) (a), (b), (c) or (d)) as well as other specific provisions relating to Agriculture and Transport.

No

10.3 Where the existing Regulations, frameworks, guidelines or other texts applicable to State aid do not provide an explicit basis for the approval and in so far that it is not requested by the relevant supplementary information sheet(s) in part II, please provide the following information concerning the likely impact of the notified measure on competition and trade between Member States. This information is necessary to complete the assessment made by the Commission which balances the positive impact of the aid measure (reaching an objective of common interest) against its potentially negative side effects (distortions of trade and competition).

10.3.2 In case of an aid scheme

Impact on competition: Please specify and describe the product markets on which the aid scheme is likely to have a significant impact, the structure and dynamics of those markets:

Impact on trade between Member States. Please provide information on the effects on trade (shift of trade flows and location of economic activity):

11. Outstanding recovery orders

11.2 The authorities of the Member State commit to suspend the payment of any aid under the notified aid scheme to any undertaking that has benefited from earlier unlawful aid declared incompatible by a Commission Decision, until that undertaking has reimbursed or paid into a blocked account the total amount of unlawful and incompatible aid and the corresponding recovery interest.

Yes


12. Other information





Please indicate here any other information you consider relevant to the assessment of the measure(s) concerned under State aid rules:

This Northern Ireland scheme is based on the UK Renewable Heat Initiative scheme that has been recently approved by the European Commission, SA.32125 (2011/N).

13. Attachments

Please list here all documents which are attached to the notification and provide paper copies or direct internet links to the documents concerned.

Document(s)	Last upload
 NI RHI State Aid notification paper.DOC	21/12/2011 12:41

	Part III.10 supplementary information sheet for Environmental aid.DOC	21/12/2011 12:41
	Annex D - Draft RHI Regulations - December 2011.DOC	20/12/2011 19:47
	Annex E -DETI RHI Economic Appraisal.PDF	20/12/2011 19:47
	Annex C - Energy Act 2011 - Sections 113 and 114.pdf	20/12/2011 19:46

Case Team

Members	Email	Profile
UKREP - validator		Group
State Aid Branch - BIS London		Group
McCutcheon - Joanne	joanne.mccutcheon@detini.gov.uk	User
Moore - Stephen	stephen.moore@detini.gsi.gov.uk	User
Hutchinson - Peter	peter.hutchinson@detini.gov.uk	User
Porter - Kate	Kate.Porter@bis.gsi.gov.uk	Local Administrator
Ryan - Damien	Damien.Ryan@detini.gov.uk	User

History

Step	date	action	Name	comment
Creation	20/12/2011 19:36	Accepted	Stephen - Moore	
Finalization	21/12/2011 12:46	Accepted	Stephen - Moore	

• MOORE Stephen • User •

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