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**To:** [Scott, Michelle](#)  
**Cc:** [Finlay, Christine](#); [Houston, Michael](#)  
**Subject:** FW: Catagen - Economics Branch Comments - 1 December 2015  
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Michelle,

1. We had a useful discussion on 26 November about current and prospective workloads. One item covered the above project, specifically the DETI request dated November 2015 for retrospective (DFP) approval, and I undertook to let you have a brief note summarising my views of it.
2. As you know, requests for retrospective approval are generally disfavoured. However, in this particular instance I feel that there are certain mitigating factors which, taken in the round and given the specific set of prevailing circumstances, inclines me to treat this case with some sympathy.
3. Among the mitigating factors are those as follows. First, it strikes me that, while this case is a prima facie breach of approval rules, the breach occurred more by accident than by design, especially compared with the recent RHI retrospective case which appears to have been a more purposeful disregard of the rules. Second, I welcome the fact that DETI have been fairly open and transparent with DFP in this case. Third, I feel that due weight needs to be given to DETI, not only in terms of disclosure, but also their response upon discovery of the breach; namely undertaking a comprehensive search of their projects with a view to finding any other similar examples. Fourth, the outcome of this search has given DFP some assurance that there are no other projects of this type. Finally, the fact that the project appears to be operating successfully is also notable.
4. I hope that these views are of some assistance in coming to your decision.

Noel McNally

**Economic Appraisal Branch**