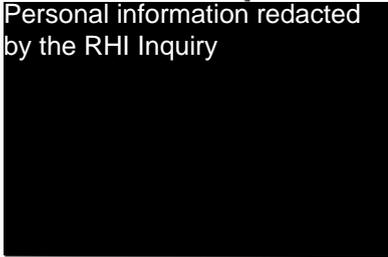


Jonah Anthony

Personal information redacted
by the RHI Inquiry



3 October 2017

Dear Sir

**Re: The Independent Public Inquiry into the Non Domestic Renewable Heat
Incentive (RHI) Scheme**
**Provision of a Section 21 Notice requiring the provision of evidence in the
form of a written statement**

I am writing to you in my capacity as Solicitor to the Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme (known as 'the RHI Inquiry') which has been set up under the Inquiries Act 2005 ('the Act').

I know that you will be familiar, from my previous correspondence, with the RHI Inquiry's Terms of Reference, which remain available on the Inquiry's website. You will also be aware that the RHI Inquiry is conducting its investigations into the matters set out in its Terms of Reference. The Inquiry is continuing with the process of gathering all of the relevant documentation from relevant departments, organisations and individuals.

In addition, the Inquiry is also engaged in the process of requiring individuals who have been, or who may have been, involved in the range of matters which come within the Inquiry's Terms of Reference to provide written evidence to the Inquiry Panel.

In keeping with the approach we are taking with other individuals, the RHI Inquiry is now issuing to you a Statutory Notice (known as a 'Section 21 Notice') pursuant to its powers to compel the provision of evidence in the form of a written statement in relation to the matters falling within its Terms of Reference.

The Section 21 Notice enclosed with this letter requires you to provide evidence to the RHI Inquiry Panel in the form of a written statement addressing the matters identified in the Schedule to the Section 21 Notice. As the text of the Section 21 Notice explains, you are required by law to comply with it.

The aim of the enclosed Notice is to require you to provide all relevant evidence you have within your knowledge, information or belief which is pertinent to the Inquiry's Terms of Reference. The Schedule to the enclosed Section 21 Notice provides further detail as to the matters which should be covered in the written evidence which is required from you. In the event that there is a category of information in respect of which you have no evidence which you can provide, please state this in your response. Where you can provide evidence, the more comprehensive your statement is, the less likely it may be that the Inquiry will have to revert to you at a later stage for clarification, although in many cases this is likely to be necessary to some degree.

It is vital that the witness statement you provide to the Inquiry is your own evidence, absent the influence of others; that it is comprehensive; and that it fully explains your involvement in the matters about which you have been asked.

As you may be aware, the Inquiry has already required the provision of a statement setting out the corporate position of Ofgem in relation to the Northern Ireland RHI Scheme. However, the Inquiry Panel is also interested in the roles played by individual officials from Ofgem who were involved with the Scheme. Moreover, the

Inquiry Panel recognise that individual officials may have a different perspective from, or may even disagree with certain aspects of, the position adopted by the organisation they work for. The statement, which is required from you pursuant to the enclosed Notice, is your opportunity to explain what you did in relation to the Northern Ireland RHI Scheme and why you did it; and also to make the Inquiry aware of any concerns you may have about the actions of others.

I appreciate that you may require or desire access to some documentation in order to assist you in preparing your statement. In particular, you may wish to see documentation to which you previously had access but now no longer have access in your current post. If that applies in your case, I understand that Ofgem will assist you, at least in the first instance. You should contact Mark Mills, Principal Legal Advisor at Ofgem. He is contactable at Mark.Mills@ofgem.gov.uk. I have informed Mark Mills that you may be making contact with him to arrange access to documentation, or for general assistance and support; but there is, of course, no obligation upon you to do so. If you encounter any difficulties, of whatever kind, you should not hesitate to get in touch with me.

I also refer you to Restriction Order No 2 made by the Chairman of the RHI Inquiry on 22 June 2017, a copy of which is enclosed for your convenience. This restriction order prohibits you from publishing any documentation received from the RHI Inquiry (save that you may show it to your legal representative) unless you first obtain the consent in writing of the Inquiry Chairman.

In addition to the four restriction orders made by the Chairman of the RHI Inquiry (which you will find published on the Inquiry website) receipt of this correspondence and its enclosures also places you under a duty of confidentiality to the RHI Inquiry in respect of them. You may share the correspondence and the enclosed Notice and documents with your legal representative(s), but neither you nor they may show, communicate the contents of, nor provide this correspondence or the Notice or documents to any other person or organisation without the express permission of the RHI Inquiry. Any breach of this duty of confidentiality is actionable at the suit of the Inquiry Chairman.

You will also find attached to the Section 21 Notice a Guidance Note explaining the nature of a Section 21 Notice and the procedures that the RHI Inquiry has adopted in relation to such a notice. In particular, you are asked to provide your evidence in the form of the template witness statement which is also enclosed with this correspondence.

Given the tight time-frame within which the RHI Inquiry must operate, the Chairman of the Inquiry would be grateful if you would comply with the requirements of the Section 21 Notice as soon as possible and, in any event, by the date set out for compliance in the Notice itself.

Finally, I would be grateful if you could acknowledge receipt of this correspondence and the enclosed notice by email to Patrick.Butler@rhiinquiry.org.

Please do not hesitate to contact me to discuss any matter arising.

Yours faithfully



Patrick Butler

Solicitor to the RHI Inquiry

02890408928

SCHEDULE
[No 484 of 2017]

Background

1. Set out a description of your occupational history, qualifications and experience.
2. Set out a summary of your role or roles within Ofgem. Please provide details of dates between which you held the role/s, and what the role/s entailed. In each instance, describe how this role related, if at all, to the Non Domestic Renewable Heat Incentive (RHI) Scheme in Northern Ireland ('the NI RHI Scheme').
3. Explain, insofar as is relevant to any involvement you had with the RHI Scheme, to whom you were accountable and/or reported in Ofgem and who, if anyone, was accountable and/or reported to you.

Involvement with Northern Ireland RHI Scheme

4. Please summarise any involvement you had with the NI RHI Scheme, whether in respect of its creation, operation, administration, or otherwise, and during what period you were so involved.
5. In respect of your particular role or position:
 - a. Explain what proportion or percentage of your role was devoted to work on the NI RHI Scheme (giving details, if applicable, of how this altered over time or at different periods);
 - b. Explain how you carried out your roles or responsibilities in relation to the NI RHI Scheme on a day-to-day basis; and
 - c. Specify whether you consider you were adequately trained and/or resourced in respect of your roles or responsibilities in relation to the NI

RHI Scheme. (If not, please specify clearly in what respects you contend this was not so and, if applicable, what steps you took in relation to this).

6. Identify, in your view, any actual or potential problems, flaws, anomalies, or difficulties with the NI RHI Scheme and/or its operation or administration, explaining in each instance, so far as you can, how those problems, flaws, anomalies, or difficulties manifested themselves, how they came about, and with whom (if anyone) responsibility or accountability for them lay.
7. Please identify when, and how, you first became aware of each of the aforementioned problems, flaws, etc..
8. Please identify and explain any difficulties you encountered within Ofgem in respect of the operation of the administration of the RHI Scheme.
9. Please identify and explain any difficulties you encountered in the relationship between Ofgem and the Department of Enterprise, Trade and Investment (DETI) (later, the Department for the Economy) in Northern Ireland in respect of the operation of the administration of the NI RHI Scheme.

Involvement with Great Britain RHI Scheme

10. If you had any involvement in the Northern Ireland RHI Scheme (as addressed above), please also address the following issues:
 - a. State whether you were also involved in the analogous RHI Scheme which operated in Great Britain ('the GB RHI Scheme');
 - b. If you were involved in the GB RHI Scheme, summarise briefly the extent and nature of your involvement in it;
 - c. If you were involved in both RHI Schemes:

- i. state whether, based upon your experience of each, there were lessons to be learned for the NI RHI Scheme from the GB RHI Scheme and, if there were, clarify what those lessons were, whether they were learned, and, if they were not learned, what you understand to be the reasons for this;
- ii. state whether, based upon your experiences of each, there were differences in how Ofgem dealt with each Scheme and if there were such differences, clarify whether any of them impacted adversely upon the NI RHI Scheme (in particular, concerning the proper administration of that Scheme), clarify what those particular differences were, and set out the reasons for those differences as you understand them.

Promotion of the NI RHI Scheme

11. Specify whether you promoted the NI RHI Scheme and/or encouraged any third party to seek accreditation under the Scheme, assisted any third party in so doing, or provided any third party with information knowing that they might apply, or consider applying, or that they might advise, encourage, assist, or cause other persons to apply, or consider applying, for accreditation under the Scheme. In respect of any such instance, please provide full details including (but not limited to) the third party concerned and the date of any steps taken by you in that regard.

Lobbying and pressure

12. Identify any instances, to your knowledge or belief, of lobbying or encouragement of Ministers, Special Advisers, Civil Servants or other relevant persons in relation to the terms of the NI RHI Scheme and/or the introduction, non-introduction, variation or delay of the introduction of cost controls into the Scheme (including, but not limited to, the amendment of tariffs, tiering, degression and Scheme suspension or closure) at any stage but, in particular, at the creation of the Scheme and in the period from mid-2015 to early 2016.

13. Identify any instances, to your knowledge or belief, where influence or pressure was exerted on you in relation to any aspect of the NI RHI Scheme. In respect of any such instance specify:
- a. who provided that influence or pressure;
 - b. when it occurred;
 - c. what it consisted of and how it was conveyed;
 - d. what you believed the motivation to have been (and what you now believe the motivation to have been, if different), and why you believe that; and
 - e. how you dealt with it.
14. Identify any instances, to your knowledge or belief, where influence or pressure was exerted on someone else in relation to the NI RHI Scheme. In respect of any such instance identify:
- a. who provided that influence or pressure;
 - b. who it was exerted on;
 - c. when it occurred;
 - d. what it consisted of and how it was conveyed;
 - e. what you believe the motivation to have been, and why you believe that;
 - f. how it was dealt with; and
 - g. how and when you came to be aware of the influence or pressure.

Standards of conduct and conflict of interest

15. Identify any instances, to your knowledge or belief, where a Minister, Special Adviser, Civil Servant or any other person involved in the NI RHI Scheme (including, if applicable, yourself):
- a. breached relevant standards (including, but not limited to, the Nolan Principles, the Ministerial Code of Conduct, the Civil Service Code of Conduct, the Code of Conduct for Special Advisers and/or terms or

conditions of employment or service) or acted in a way incompatible with their duties (including, but not limited to, by means of making premature or unauthorised disclosures);

- b. acted in circumstances relating to or touching upon the Scheme in any way where they had a real or perceived conflict of interest;

in respect of any such instances, providing details and specifying the basis for any belief that there has been a breach of a relevant standard or duty or that a conflict of interest arose.

16. Specify whether, to your knowledge, you have any connection to a person or body receiving payment under the NI RHI Scheme or benefiting commercially from the Scheme in some other way (for instance, by supplying equipment, plant, fuel or other goods or services used by Scheme claimants). In this request, a 'connection' includes (but is not limited to) circumstances where the Scheme claimant or beneficiary is a relative, friend, close acquaintance, business associate or (in the case of politicians or special advisers) donor or supporter (either to or of you or your political party).

Whistle-blowing and raising of concerns

17. Identify any instances of which you are aware of whistle-blowing in relation to the Scheme, or disclosures made in the public interest raising concerns about the NI RHI Scheme, setting out details of when this occurred, to whom and by whom any relevant disclosure was made and how it was dealt with.
18. In particular, provide an account of how you dealt with any disclosures raising concerns about the NI RHI Scheme made or communicated to you at any time. In relation to each such instance, identify precisely how the concerns were communicated to you.
19. Specify when you first became aware that subsidies payable under the NI RHI Scheme exceeded the cost of biomass fuel used to produce heat (so that there

was an incentive in some cases to produce heat merely to make profit from the Scheme) and how you so became aware.

General

20. Considering the RHI Inquiry's Terms of Reference, please identify any representations made to you about the RHI Scheme (which you regard as significant and about which you consider the RHI Inquiry should be aware), whether those representations were made by colleagues, or otherwise. In respect of any such representations please indicate when they occurred, where they occurred, who was involved, and what was said or communicated to you.
21. Considering the RHI Inquiry's Terms of Reference, please identify any conversations or discussions you had about the RHI Scheme (which you regard as significant and about which you consider the RHI Inquiry should be aware), whether those conversations or discussions involved colleagues, or otherwise. In respect of any such conversations or discussions please indicate when they occurred, where they occurred, who was involved, and what was said to you.
22. Provide any further evidence within your knowledge or belief which is relevant to the matters which the RHI Inquiry is investigating as set out in the RHI Inquiry's Terms of Reference.

NOTE:

It is important for the efficiency of the RHI Inquiry that the issues identified above are addressed as fully as possible and by reference, where available, to the dates and locations of specific incidents to which reference is made. The statement should be broken down into paragraphs, which should be numbered sequentially from '1' to the end. The use of appropriate section headings or sub-headings is also encouraged. A template witness statement is provided with this Notice for your assistance and should be used as the format for your response.

RHI REF: Notice 484 of 2017

WITNESS STATEMENT OF JONATHAN ANTHONY TO RHI INQUIRY

I, Jonathan Ricardo Oliver Anthony, will say as follows: -

Background: Occupational History, Qualifications and Experience

1. I am currently not in paid employment. However below is a list of the positions I have held, and the organisations I have worked for, beginning with the most recent. I have had a varied career – but predominantly spent in policy and regulations development. This followed a first degree, BA(Hons) in Philosophy and Politics from Warwick University and a second degree, MSc European Politics from Birkbeck University.

Date	Position Held	Organisation (and nature)	Brief description of role
May 2017 – July 2017	Trade Association Director	Build UK (Umbrella trade organisation operating in the construction industry)	Manage a team overseeing the management and secretariat services for 5 construction trade associations and industry training groups
May 2016 – April 2017	Director of Memberships	Commonwealth Enterprise and Investment Council (official Commonwealth organisation mandated to promote trade and investment between the Commonwealth's 52 members and territories)	Responsible for the recruitment and retention of corporate and country government members.
June 2015 – April 2016	Senior Strategy and Partnership Manager (equivalent to Civil Service Grade 7)	Ofgem E-Serve (Delivery division of the GB energy regulator, charged with developing and operating government environmental and social energy schemes)	Explore potential models for Ofgem E-Serve to operate under.
February 2014 – June 2015	Senior Development Manager (equivalent to Civil Service Grade 7)	Ofgem E-Serve (Delivery division of the GB energy regulator, charged with developing and operating government environmental and social energy schemes)	Manage a team responsible for implementing changes to existing renewable electricity schemes such as the Feed-in Tariff and Renewables Obligation; and helping to develop new renewable electricity schemes, such as Contracts for Difference
January 2012 – February 2014	Grade 7 Lead Official – Gas Market Regulations	Department of Energy and Climate Change (DECC) (UK Government department)	Provide Ministers with advice on changes to the GB and EU gas market regulations, and implement

		responsible for GB energy and climate change policy).	agreed engagement and development activities
November 2009 - January 2012	Policy Development Manager (equivalent to Civil Service Grade SEO/HEO)	Ofgem E-Serve (Delivery division of the GB energy regulator, charged with developing and operating government environmental and social energy schemes	Primarily lead the development teams for the Feed-in Tariff scheme and Warm Home Discount team, but also provided advice and development work on several other schemes including Green Deal, ECO and the Northern Ireland RHI (further details below)
(October 2006 – October 2009)	Policy Director and Senior Consultant	Micropower Council and JDS Associated (The Micropower Council was a trade body aimed at promoting Microgeneration technologies in the UK and EU. Support was provided through JDS Consulting. JDS Consulting was a niche consultancy specializing in providing political, policy and regulatory advice to energy companies, manufacturers and technology suppliers in the area of low carbon technologies.)	As Policy Director, develop industry wide policy positions and lobby government and other stakeholders on those positions; promoting the benefits of microgeneration technologies and identifying those policy and regulatory changes which would aid their uptake. As Senior Consultant at JDS Associates I advised corporate clients on the political, policy and regulatory environment impacting their businesses. Both these activities were focused on the GB market.
June 2015 – September 2016	Assistant Staff Officer	Surface Transport, Transport for London (TfL). Surface Transport is the part of TfL which is responsible for London's buses, taxis, congestion charge scheme, trams, river boat services, and the Mayor's Transport for London Road Network.	Support the then Managing Director of Surface Transport (Peter Hendy) with his public correspondence and political briefing activities.
August 2003 – June 2005	Band B Desk Officer – (Civil Service Grade EO)	Security Policy Department, Foreign and Commonwealth Office (Security Policy Department is responsible within the Government's FCO for reviewing, implementing and	I was the lead official for a number of (relatively low profile) conventional weapons and armed forces treaties. Developing the UK position on those treaties and representing the UK

		negotiating international treaties on the use of weapons and armed forces)	Government at NATO and UN meetings.
February 2002 – August 2003	Administrative Assistant (AA) and then Administrative Officer (AO)	European Union (External) Department, Foreign and Commonwealth Office (The EU External Directorate was responsible for leading the UK negotiations during the largest enlargement of the European Union)	Provide administrative and basic research for colleagues in the department

Involvement with the Northern Ireland RHI Scheme - My time as Policy Development Manager in Ofgem E-Serve's New Scheme Development team (November 2009 - January 2012).

2. In 2009 Ofgem decided to more formally (although not legally) define those teams responsible for operating a number of Government renewable and energy efficiency schemes. The new division, Ofgem E-Serve, was expected to further expand to take on the then planned small-scale Feed-in Tariff, Renewable Heat Incentive and Carbon Capture and Storage schemes. This expansion was to be coordinated by the newly formed New Scheme Development team.
3. During this initial phase I was employed by JDS Associates and the Micropower Council – primarily tasked to promote the microgeneration industry and support efforts to lobby the UK Government to introduce new financial incentive schemes for microgeneration technologies (by microgeneration technologies I am referring to small scale (up to 1MW) low carbon and renewable energy technologies such as solar pv panels, micro wind turbines, micro combined heat and power (micro CHP) boilers, air source heat pumps, ground source heat pumps and solar thermal panels. In my role I regularly came into contact, worked for, and received hospitality from companies who would benefit from the introduction of the Renewable Heat Incentive. In particular this included Mitsubishi Electrics who I know were very keen on getting the domestic RHI scheme off the ground.
4. In September/October 2009 I applied for and was successful in getting a job in the newly formed New Scheme Development team in Ofgem E-Serve. I was one of three new policy development managers appointed, and was specifically tasked with leading the development of the GB small-scale Feed-In Tariff. This involved liaising closely with the energy sector to ensure the scheme's launch would be a success. I mainly focused on developing the statutory instruments/regulations and translating them into clear requirements for the operation of the scheme. Occasionally I would need to feedback practical problems with the scheme development so that they can be incorporated into policy decisions and statutory instrument/regulations drafting.
5. My second major project was leading the team developing the Warm Home Discount (WHD) scheme. This was primarily from April 2010 – March 2011. In this project my responsibilities grew to include resource management, i.e. setting out the nature of the development and

operational team that would be needed to oversee the creation, launch and administration of the WHD scheme.

6. In both roles I used my analytical skills, personal experience and a close working relationship with colleagues in different teams to work through the policy and identify how it could be translated into an operational reality – borrowing where possible from existing arrangements which had proven successful and cost effective.
7. In parallel colleagues in the New Scheme Development team were working on the development of the GB Renewable Heat Incentive. Occasionally I would provide peer support and review the work undertaken by those colleagues. However, I cannot recall any specific advice or suggestions I may have made on the documents/proposals those colleagues were preparing.
8. From March 2011 I was asked to look at the possibility of Ofgem E-Serve taking on the administration of the proposed Northern Ireland Renewable Heat Incentive (NI RHI). This coincided in my reducing my working hours (for family reasons). During this period I worked 3 days a week (0.6FTE) on Monday, Wednesday and Friday. The basic premise behind the project was that Ofgem E-Serve could leverage the administration of the much larger GB RHI Scheme in order to provide Northern Ireland with a cost-effective option for administering their own RHI scheme. This model had been used successfully in the Renewables Obligation, whereby the administration of the Northern Ireland Renewables Obligation (NIRO) was combined with the much larger GB Renewables Obligation (RO) schemes and administration costs were proportioned according to the relative size of the overall RO schemes in each jurisdiction.
9. My first job was to set out what was needed to undertake the initial feasibility study – which would itself set out what would be needed by E-Serve to develop and successfully launch the NI RHI scheme. The feasibility study phase was intended to provide cost estimates and identify cost estimates. From my recollection, which seems to be supported by the documents I have revisited, I was particularly concerned about under resourcing the feasibility stage and not allowing sufficient time for the process to be completed, discussed and next steps agreed upon. I was pleased that the feasibility study phase budget was increased to allow it to be completed in full. However, the timing of the scheme development and launch remained a concern, particularly because from experience I was conscious that policy decisions and the drafting of the statutory instruments were often delayed. These concerns remained throughout my time on the NI RHI project.
10. Once the feasibility study proposal was agreed by Ofgem and DETI, I was then awarded a temporary promotion to Ofgem Band D (Civil Service Grade 7 equivalent) to oversee the writing of the feasibility study. I was then able to employ a temporary member of staff (1 FTE) for 2 months to undertake the bulk of the research and drafting of the feasibility study. That person was Catherine McArthur, who subsequently had her contract extended with Ofgem E-Serve.
11. With policy decisions yet to be made on the NI RHI, the feasibility study focused on how the different organisations involved could work together and identifying the building blocks that would need to be in place for the NI RHI to be successfully developed and launched by April

2012. A core message that was constantly repeated, both internally and with DETI, was that the greater the alignment between the GB RHI and the NI RHI schemes, the greater the efficiency savings that could be achieved for NI. However, any deviation would necessitate adjustments to the GB RHI operation and IT system to allow it to accommodate the specific NI RHI requirements and this in turn would add complexity and additional costs to the development and administration of the NI RHI.

12. Unfortunately, the policy decisions and legislative drafting was not completed before the feasibility stage, and much of our work was undertaken on the assumptions that the NI RHI scheme would mirror the GB RHI scheme. It was acknowledged that a full risk assessment (examining the risk to Ofgem of administering the NI RHI scheme on behalf of NIAUR) and review of whether Ofgem E-Serve's processes were adequate would need to be done once the final policy decisions were taken. Estimates of the cost for developing, launching and operating the NI RHI scheme would be dependent on what final decisions were taken.
13. The feasibility study stage was a completely internal process between Ofgem, DETI and the NI regulator. Therefore, I did not have any professional contact with industry figures regarding the RHI scheme, and from my recollections have not discussed the NI RHI project in any specific detail with anyone since the project ended.
14. My involvement in the project began to end in November 2011 as I accepted a post with the Department for Energy and Climate Change, eventually moving over in January 2012. Whilst I am sure I would have seen the final feasibility study as sent to DETI in early December 2011, I do not recall being involved in the final policy decisions/scope for NI RHI or the planned risk and assurance review (in fact I remember gaining agreement to defer £10,000 from the feasibility study phase budget to the development team budget so that an external assurance review could be carried out once the policy was finalised). Following my departure, I do not recall engaging with the NI RHI scheme, even when I returned to Ofgem E-Serve in 2014. I was part of an internal strategy exercise in the summer of 2015 which did conduct a mapping exercise of Ofgem E-Serve's strength, weaknesses, opportunities and threats with several teams across E-Serve, including colleagues from the Domestic and Non-Domestic RHI teams.

Involvement with Great Britain RHI Scheme

15. My involvement with the GB RHI scheme was limited to providing peer support during its feasibility and development phase as part of the New Scheme Development Team between November 2009 and January 2012 (as mentioned above).

Promotion of the NI RHI Scheme

16. I have never promoted the NI RHI scheme, nor know anyone personally who has benefited from the NI RHI scheme (save those employed by Ofgem E-Serve for its administration).

Lobbying Pressure

17. I am unaware of any lobbying/pressure for the introduction of the RHI scheme in Northern Ireland. Even when working in industry prior to my time at Ofgem E-Serve, I was focused on

the introduction of a 'heat Feed-in Tariff' in GB. As far as I was concerned Ofgem E-Serve's position was if the NI government wanted to introduce a NI RHI scheme, we would be keen to administer it for them if we could ensure we provided value for money in our administration cost. The NI RHI scheme was not seen as a major priority or income generator (as compared to the GB RHI schemes, both domestic and non-domestic).

Standards of conduct and conflict of interest

18. I was/am unaware of any issues with standards of conduct and/or conflict of interest in Ofgem E-Serve in delivering the NI RHI project.

Whistle blowing and raising concerns

General

19. From my perspective I could see the benefit of the NI RHI administration and operation being joined with the much larger GB RHI Schemes and saw it working very much like the NIRO. However, this would only work if the schemes mirrored each other. I did have fears about delays to policy decisions and regulatory drafting – as these can have significant effects on the operation and administration of a scheme. But I appreciated the political and budgetary reality which restricts the time between confirming policy intentions and decisions and working through the practical impact of delivering that policy. That is why I was keen to raise, in the feasibility study, the option of delaying the launch of the scheme.

20. I was completely unaware of the problems that would come to impact the NI RHI scheme and lead to its suspension (the so called "Ash for Cash" problem). Whilst I was conscious during my time working on microgeneration technologies of the need not to over incentivise the production of energy, this balancing act would need to be done by the policy department, who were responsible for setting the tariff and scheme rules. During my work on the Feed-in Tariff and Warm Homes Discount, I did work with colleagues at DECC to identify how to ensure policy objectives were to be met and public money well spent. It was important to strike the right balance between the burden of administration against the intended benefit (i.e. not make administration too onerous as to negate the benefit being provided). However, the responsibility for setting the right tariff/rebate level and scheme rules rested solely with DECC officials and Ministers. I did not reach this stage with DETI colleague whilst working on the NI RHI as the project was in its relatively early stages.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: *J Anthony*

Dated: *Sunday 10 October 2017*