

To: Niketa Patel[Niketa.Patel@ofgem.gov.uk]
From: Lindsay Goater
Sent: 2012-11-02T14:31:43Z
Importance: Normal
Subject: RE: URGENT NI RHI - Wording Changes - Deadline
Received: 2012-11-02T14:31:00Z

Lovely!

From: Niketa Patel
Sent: 02 November 2012 12:12
To: Lindsay Goater
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Hi Lindsay,

Yes I just about managed to!

The final wording I've put in is:

An RHI accredited installation of this technology type is already registered at this address. If the installation that you're making this application for is part of the same heating system as that original installation you must notify us in writing within 28 days of the addition of the plant that this application relates to. You can do this by email to RHI.notification@ofgem.gov.uk. Other requirements relating to "additional capacity" may apply (please see the guidance and supporting applicant information on additional capacity).

Thanks,

Niketa

From: Lindsay Goater
Sent: 01 November 2012 16:29
To: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Did you decipher all the colours and strike-throughs??

From: Niketa Patel
Sent: 01 November 2012 16:20
To: Cheryl Fox; Marcus Porter; Lindsay Goater
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Thanks all, the Warning Messages document has been updated accordingly.

From: Cheryl Fox
Sent: 01 November 2012 16:18
To: Marcus Porter; Lindsay Goater
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Thanks Marcus and Lindsay for your input on this.

Niketa – please see below for final wording on this warning.

Many Thanks

Cheryl

From: Marcus Porter
Sent: 01 November 2012 15:37
To: Lindsay Goater; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Lindsay

Looks good to me – always assuming that this is what we want the “warning” to cover! I’ll assume it is, unless someone tells me different.

Marcus

From: Lindsay Goater
Sent: 01 November 2012 15:32
To: Marcus Porter; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Just to re-order the text vs ref to the email address...

WARN4: Same technology installation already exists at this address registered under a different account

An RHI accredited installation of this technology type is already registered at this address. If the installation that you're making this application for is part of the same heating system as that original installation you'll need to apply for must notify us in writing within 28 days of the addition of the plant that this application relates to. You can do this by email to RHI.notification@ofgem.gov.uk. there may be

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Annotated by RHI Inquiry

Other requirements relating to "additional capacity" may apply (please see the guidance and supporting applicant information on additional capacity).

From: Marcus Porter
Sent: 01 November 2012 15:17
To: Lindsay Goater; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Lindsay
With the highlighted amendments added below, this would work for 34(l) in so far it relates to added plants and would adequately deal with additional capacity too if there is no intention to include a specific "warning" as such for that.
Marcus

From: Lindsay Goater
Sent: 01 November 2012 13:51
To: Marcus Porter; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Hi Marcus,
The Guidance takes care of the detail... if we are silent on the timings, how about
WARN4: Same technology installation already exists at this address registered under a different account
An RHI accredited installation of this technology type is already registered at this address. If the installation that you're making this application for is part of the same heating system as that original installation you'll need to apply for must notify us in writing within 28 days of the addition of the plant that this application relates to, and there may be other requirements relating to "additional capacity" may apply (please see the guidance and supporting applicant information on additional capacity) additional-capacity. You can do this by email to RHI.notification@ofgem.gov.uk.
Lindsay

From: Marcus Porter
Sent: 01 November 2012 13:42
To: Lindsay Goater; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Lindsay
I don't see how we can properly do that given the differences between reg 43 and reg 34(l) mentioned below. Text that works for one doesn't work for the other an, whilst I can see the attraction in what you're suggesting, going down that road is misleading for the applicant as it implies that there is only one relevant provision, whereas there are two, that only two conditions must be satisfied, whereas for additional capacity that there are three and that the 28 day period commences on the same date for both, which it doesn't. Instead of conflating text relating to the two provisions in this way we should simply have two separate "warnings", one for reg 34(l) purposes and the other for reg 43 purposes.
Marcus

From: Lindsay Goater
Sent: 01 November 2012 13:33
To: Marcus Porter; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Can't we just tell them if they are amending notify us, and then when they tell us tease apart the nuances of additional capacity? Maybe say "see guidance and supporting information"?
I do not know what the original aim of seeking legal input was!

From: Marcus Porter
Sent: 01 November 2012 13:28
To: Lindsay Goater; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Lindsay
Your wording would work, save that I would substitute "addition" for "amendment" if the objective is to ensure compliance with reg 34(l) (33(l) in NI) in so far as it requires notification of additions, but it wouldn't do for additional capacity, which is what the text I'm sent

below seems to concern itself with, given that there are 3 requirements that have to be satisfied before additional plant amounts to “additional capacity” and that the 28 day requirement is not common to the two. The reason it’s not common is that, in the case of 34(l)/339l) it’s 28 days from the addition of the plant, whereas for additional capacity the 28 day period runs from the date on which the additional capacity is first commissioned.

We do need clarity as regards what the objective is and if it is to cover both the above provisions then, given the differences between the provisions it seems to me we need to cover them in 2 separate “warning messages”.

Marcus

From: Lindsay Goater
Sent: 01 November 2012 13:00
To: Marcus Porter; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Seems complicated – I don’t think we have to give this new plant a *name*, just tell them what to do...

WARN4: Same technology installation already exists at this address registered under a different account

An RHI accredited installation of this technology type is already registered at this address. If the installation that you’re making this application for is part of the same heating system as that original installation you’ll need to apply for must notify us in writing within 28 days of this amendment to your heating system additional capacity. You can do this by email to RHI.notification@ofgem.gov.uk, contacting the RHI Customer Support team at RHI.enquiry@ofgem.gov.uk.

From: Marcus Porter
Sent: 01 November 2012 12:51
To: Lindsay Goater; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

But is that the objective? I do not know. If it is then your amendment would be OK as far as it goes but it doesn’t go far enough as it mentions only two of the additional capacity requirements specified in reg 43(2)/42(2) and it would need to mention all three. The missing one is the requirement as to first commissioning. So we’d need to add the bits in brown below. Of course we would only refer to whichever was the appropriate term, i.e. “additional RHI capacity” or “additional NI RHI capacity”, depending on which scheme it was.

Marcus

From: Lindsay Goater
Sent: 01 November 2012 12:33
To: Marcus Porter; Cheryl Fox
Cc: Niketa Patel
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

So is it that we edit to:

WARN4: Same technology installation already exists at this address registered under a different account

An RHI accredited installation of this technology type is already registered at this address. If the installation that you’re making this application for is part of the same heating system as that original installation and was first commissioned after the date on which the accredited installation was first commissioned, the installation you are making this application for is “additional RHI capacity”/ “additional NI RHI capacity” and you’ll need to apply for must notify us in writing within 28 days of this additional capacity. You can do this by contacting the RHI Customer Support team at RHI.enquiry@ofgem.gov.uk.

From: Marcus Porter
Sent: 01 November 2012 11:59
To: Cheryl Fox
Cc: Niketa Patel; Lindsay Goater
Subject: RE: URGENT NI RHI - Wording Changes - Deadline

Cheryl

I can’t trace that we have been asked to look at this one.

My immediate reaction is that the “requirement” specified below, whether in relation to the GB or the NI Scheme, is misconceived: An applicant can’t “apply for” additional capacity. In accordance with reg 43 of the GB RHI, i.e. reg 42 of the NI Regs, “additional capacity” means a plant which meets specified requirements, including that it supplies heat to the same heating system as that of which the original installation forms part.

If those requirements are met, additional capacity will exist and the applicant must then notify us of that fact within 28 days of the additional capacity being first commissioned. Certain further provisions in reg 43/42 relating to additional capacity then engage and which particular provisions that is turns on whether or not the additional capacity is commissioned within 12 months of the date the original plant is first commissioned.

As the text below advises contacting the RHI customer support team, and as a scheme participant is not *obliged* to apply for accreditation of additional capacity, I imagine that that text was supposed to focus on the 28 day requirement mentioned above, but someone would need to confirm that, or let me know what else it aims to achieve, before I could comment further on what the wording should be.

Marcus

From: Cheryl Fox
Sent: 01 November 2012 11:25
To: Marcus Porter
Cc: Niketa Patel
Subject: FW: URGENT NI RHI - Wording Changes - Deadline

Hi Marcus,

NI RHI

Sophie Personal information redacted by the RHI Inquiry I am picking up some of her work whilst she is away. IT have contacted me to ask for the wording in the Warning message below for NI RHI. They thought that Sophie had passed this through to yourself for comment?

I apologise if you have responded already and, if this has not been passed through to you, I would be grateful if you could please advise on if/who may be looking at it in Legal.

Warning Messages

Requirements	Status	Traced-from
<p>WARN4: Same technology installation already exists at this address registered under a different account An RHI accredited installation of this technology type is already registered at this address. If the installation that you're making this application for is part of the same heating system as that original installation, you'll need to apply for additional capacity. You can do this by contacting the RHI Customer Support team at RHI.enquiry@ofgem.gov.uk, selecting the "Apply for additional capacity" option on your RHI homepage. If the installation that you're making this application for is not part of the same heating system as that original installation, you can continue with this application. If possible, please explain why this installation is not additional capacity when answering [HK120] later in the application. We may request further information or evidence that this installation is not additional capacity when reviewing your application</p>	Approved	BR76(s), UC37(UC44(s)

Many Thanks

Kind Regards

Cheryl

Cheryl Fox

IT Liaison Manager (RHI Operations)

New Scheme Development

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