

**To:** Teri Clifton[teri.clifton@ofgem.gov.uk]  
**From:** Jane Pierce  
**Sent:** 2016-02-11T11:32:20Z  
**Importance:** Normal  
**Subject:** RE: Here's my starter for 10 [OFFICIAL Internal Only]  
**Received:** 2016-02-11T11:32:21Z  
[Copy of NI issues.xls](#)

Excellent – I have added a few quick things too. Are we still meeting?

J

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**From:** Teri Clifton  
**Sent:** 11 February 2016 11:19  
**To:** Jane Pierce  
**Subject:** Here's my starter for 10

Jane

There's probably a lot more but... ☺

Regards

Teri

**Teri Clifton**

Head of Operations  
Non-Domestic RHI  
Ofgem  
3rd Floor  
Cornerstone  
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Glasgow  
G2 2BA  
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[Internal Only]

**Issues**

<b>Administrative Arrangement</b>	
- will end as soon as any change goes through Assembly	
can resolve through an exchange of letters but will need to agree admin approach on volumes/queues/ audits/risk of challenges etc first	
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- DETI website to be updated	
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comms to those in queue and existing participants	
Update guidance docs	
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Personal information redacted by the [redacted] is outstanding and overdue.	EW
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    Standard text: participant has declared they comply/do not comply with the sustainability requirements of the RHI scheme via the RO but they are not a CHP installation ..... 3

    Standard text: participant has declared in their submission that at least one of their consignments against which they are self-reporting is a waste, but this consignment was not agreed in their FMSQ with Ofgem as a waste. .... 4

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**Email template**

This is the template into which the standard texts below are inserted. The completed template will be sent to the participant as an email.

Subject line: <insert RHI number> **Periodic Data - further information required**

Dear < insert name >

Thank you for submitting your periodic data on xx/xx/xxxx for installation <insert RHI number>.

Further information is required regarding your ongoing obligation to comply with the RHI sustainability requirements. Please provide this within 20 days of receipt of this request.

<Insert standard text>

We are unable for the time being to carry out the calculation required to determine your periodic support payment amount, so we are unable to make any payments to you. In order that we are able to calculate your periodic support amount in accordance with the RHI regulations please provide the further information requested.

If you have any queries about what we you need to do next please contact the non-domestic RHI team by email at [rhi.accreditation@ofgem.gov.uk](mailto:rhi.accreditation@ofgem.gov.uk) or call us on 0845 200 2122.

Kind regards,

The Non-Domestic RHI Team

**Comment [RB1]:** It isn't really further information – it is information that they are already obliged to provide in their periodic data submission. Perhaps say that the data was incomplete and enter the standard text detail here and then ask them to provide the information by a certain date rather than 20 days of receipt which is a bit open ended (calculate 20 days from the date of the email)?

**Comment [NP2]:** The number of days specified needs to be agreed with the operations and legal teams.

**Comment [RB3]:** This isn't really a legal issue, the Regulations and Guidance provide the timescale for submitting the periodic data. This is extra time given for them to comply with their obligations. It seems like a reasonable amount of time, and really matter for policy or operations to decide.

**Comment [RB4]:**

The standard text informs the participant that they have not provided necessary information about BSL/sustainability and have failed to comply with their ongoing obligation.

This sentence then states that the reason you can't pay them is because you are unable to calculate the support payment without the information requested in the standard text. Can you please clarify how it fits in with the standard text and what is the particular information in each scenario that prevents the calculation taking place?

Regulation 39 relates to the formulae to be used in calculating the Periodic Support Payments for complex systems. Could I see the legal advice on sending a notice under Regulation 39 and the template non-compliance use?

**Comment [NP5]:** This text has been taken from the 'Notifications of Non-Compliance' sent out by the Compliance team to participants who we suspect may not be complying with their ongoing obligations.

The notification of non-compliance is sent out under regulation 39 and obtained legal approval at the time the Compliance team began using this text.

General information and guidance on the RHI sustainability requirements can be found in Chapter 4 of the [RHI Guidance Volume 2](#) and the [Easy Guide to Sustainability](#). Additional information regarding self-reporting can be found in the [Self-Reporting Guidance](#).

**Standard text: BSL authorisation number provided is for a 'Producer'**

You must be able to demonstrate that you have used sustainable fuel during the period for which you have submitted periodic data. The Biomass Suppliers List (BSL) authorisation number you have provided is for a registered fuel 'Producer' and therefore cannot be used to demonstrate compliance with the RHI sustainability requirements. The authorisation number provided to you by your fuel supplier should refer to a registered fuel 'Trader' or 'Producer-Trader'. If you are supplying your own fuel through the BSL your authorisation number will identify you as a 'Self-Supplier'.

Please verify with your fuel supplier that you have been provided with the correct authorisation number for your fuel.

Your periodic data submission has been set back to with participant and will not be processed until you provide further information which demonstrates that you have used sustainable fuel for this reporting period.

If you have sourced and used an approved sustainable fuel from the BSL for this reporting period, you must provide a valid authorisation number of this fuel in your periodic data submission. If you cannot demonstrate that you have sourced and used approved sustainable fuel from the BSL for this reporting period you must self-report.

To provide further information to Ofgem please log in to the Register and amend your submission as appropriate. Once you have done this please re-submit your periodic data.

**Standard text: BSL authorisation number provided has been 'removed'**

You must be able to demonstrate that you have used sustainable fuel during the period for which you have submitted periodic data. The BSL authorisation number you have provided is no longer listed on the BSL. The RHI regulations stipulate that your fuel must be listed on the BSL as an approved sustainable fuel at the time it was received by you. If your fuel was not an approved sustainable fuel at the time it was received by you, you will need to self-report for this reporting period.

In order to determine whether the fuel you sourced through the BSL meets the sustainability requirements of the RHI, please provide by response to this email evidence which shows the date on which this BSL approved fuel was received by you (such as an invoice, receipt or delivery note). If you prefer you can post this evidence to us [include address].

**Standard text: BSL authorisation number provided does not match any entry in the Gemserv spreadsheet**

You must be able to demonstrate that you have used sustainable fuel during the period for which you have submitted periodic data. The BSL authorisation number you have provided in your periodic data submission is not on the current list of BSL authorised fuels.

Please check the number you provided in your periodic data submission against the number on your invoice/receipt (or if you are a self-supplier your BSL approval documentation). If you have purchased your fuel from a supplier and the number on your invoice/receipt is not in the format BSLXXXXXX-XXXX where each 'X' represents a number, please contact your fuel supplier.

Your periodic data submission has been set back to with participant and will not be processed until you provide further information which demonstrates that you have used sustainable fuel for this reporting period.

If you have sourced and used an approved sustainable fuel from the BSL for this reporting period, you must provide a valid authorisation number of this fuel in your periodic data submission. If you cannot demonstrate that you have sourced and used approved sustainable fuel from the BSL for this reporting period you must self-report.

To provide further information to Ofgem please log in to the Register and amend your submission as appropriate. Once you have done this please re-submit your periodic data.

**Standard text: participant has declared they comply/do not comply with the sustainability requirements of the RHI scheme via the RO but they are not a CHP installation**

You must be able to demonstrate that you have used sustainable fuel during the period for which you have submitted periodic data. You have declared in your periodic data submission that you intend to demonstrate compliance with the sustainability requirements for this period because you are accredited under the Renewables Obligation (RO) scheme. However it is not possible to demonstrate compliance with the RHI sustainability requirements using this route if any of the following apply:

- Your installation is not a CHP installation,
- Your installation is a CHP installation but has an electrical capacity of <1MWe,
- Your installation is not accredited under the Renewables Obligation.

Your periodic data submission has been set back to with participant and will not be processed until you provide further information which demonstrates that you have used sustainable fuel for this reporting period.

If you have sourced and used an approved sustainable fuel from the BSL for this reporting period, you must provide a valid authorisation number of this fuel in your periodic data submission. If you have not used approved sustainable fuel from the BSL for this reporting period you must self-report.

To provide further information to Ofgem please log in to the Register and amend your submission as appropriate. Once you have done this please re-submit your periodic data.

**Standard text: participant has declared in their submission that at least one of their consignments against which they are self-reporting is a waste, but this consignment was not agreed in their FMSQ with Ofgem as a waste.**

You must be able to demonstrate that you have used sustainable fuel during the period for which you have submitted periodic data. You have declared in your periodic data submission that one of your consignments of fuel is classified as a waste. However this consignment was not agreed with Ofgem in your Fuel Measurement and Sampling Questionnaire (FMSQ) as a waste.

Please therefore carry out one of the below courses of action as appropriate:

1. Report against this consignment as agreed with Ofgem in your FMSQ and provide the greenhouse gas emissions figure and other declarations in your periodic data submission.
2. If you are now using a consignment of fuel which you can demonstrate to meet the definition of waste in the RHI regulations please:
  - a. Add this consignment to your consignments on the RHI Register (see the [External IT User Guide](#)),
  - b. Report against this consignment for the reporting period you have used it,
  - c. Email your updated FMSQ to [rhi.biomass-sustainability@ofgem.gov.uk](mailto:rhi.biomass-sustainability@ofgem.gov.uk).
  - d. The FMS Review Team will respond to your email and your periodic data submission will not be approved until your updated FMSQ has been agreed with Ofgem.

**Comment [RB6]:** Could you please let me know which regulation this procedure relates to? It is 3

**Comment [NP7]:** Add link

#### Other standard text responses

**The below standard text is a standalone and complete template and is for use when:**

- BSL number submitted to us in PD submission was 'removed' and we sent the standard text above.
- We received evidence from the participant of the date on which they received their fuel.
- The date on which they received their fuel was after the date on which the BSL number was removed from the list.
- The participant therefore needs to self-report for that fuel consignment.
- Send this as an email in the email chain the participant has responded to us.

Subject line: <insert RHI number> **Periodic Data – action required**

Dear < insert name >

Thank you for submitting your periodic data on xx/xx/xxxx for installation <insert RHI number> and for the providing the further information we requested on xx/xx/xxxx.

The evidence you provided shows the date on which your consignment of fuel was received by you was after the date on which the BSL approval for that fuel was revoked. Therefore this fuel delivery is not an approved sustainable fuel in accordance with regulation 36E of the RHI regulations and you must self-report for this consignment.

Useful resources for self-reporting can be found in the following guidance documents:

- [Easy Guide to Sustainability](#)
- [Self-Reporting Guidance](#)
- You may also find this useful: [link to webpage where default value calculator will go]

Your periodic data submission has been set back to with participant and will not be processed until you provide further information which demonstrates that you have used sustainable fuel for this reporting period. To provide further information to Ofgem please log in to the Register and amend your submission to show you will comply through self-reporting, providing your greenhouse gas emissions figure and the declarations required. Once you have done this please re-submit your periodic data.

We are unable for the time being to carry out the calculation required to determine your periodic support payment amount, so we are unable to make any payments to you. In order that we are able to calculate your periodic support amount in accordance with the RHI regulations please provide the further information requested.

If you have any queries about what we you need to do next please contact the non-domestic RHI team by email at [rhi.accreditation@ofgem.gov.uk](mailto:rhi.accreditation@ofgem.gov.uk) or call us on 0845 200 2122.

Kind regards,

The Non-Domestic RHI Team

General information and guidance on the RHI sustainability requirements can be found in Chapter 4 of the [RHI Guidance Volume 2](#) and the [Easy Guide to Sustainability](#). Additional information regarding self-reporting can be found in the [Self-Reporting Guidance](#).

**Comment [NP8]:** This text has been taken from the 'Notifications of Non-Compliance' sent out by the Compliance team to participants who we suspect may not be complying with their ongoing obligations.

The notification of non-compliance is sent out under regulation 39 and obtained legal approval at the time the Compliance team began using this text.

**Comment [RB9]:** See comment above.

**To:** Jane Pierce[Jane.Pierce@ofgem.gov.uk]  
**From:** Teri Clifton  
**Sent:** 2016-02-11T13:41:54Z  
**Importance:** Normal  
**Received:** 2016-02-11T13:41:00Z  
[NI issues.xls](#)

Here you go!

**Teri Clifton**

Head of Operations  
Non-Domestic RHI  
Ofgem  
3rd Floor  
Cornerstone  
107 West Regent Street  
Glasgow  
G2 2BA  
Tel: 0141 341 3991  
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Teri to remodel for 2016/17 based on current assumptions (eg no new applications)	
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Way forward on existing verification issues	TC/JP/EW/GJ
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**To:** Gareth John[Gareth.John@ofgem.gov.uk]; Jane Pierce[Jane.Pierce@ofgem.gov.uk]; Edmund Ward[Edmund.Ward@ofgem.gov.uk]  
**From:** Teri Clifton  
**Sent:** 2016-02-11T14:05:08Z  
**Importance:** Normal  
**Subject:** Initial thoughts on NI  
**Received:** 2016-02-11T14:05:09Z  
[NI issues.xls](#)

Hi Gareth

Here are our initial thoughts- no doubt there will be more following our catch up with DETI tomorrow

Regards

Teri

**Teri Clifton**

Head of Operations

Non-Domestic RHI

Ofgem

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Cornerstone

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Glasgow

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Tel: 0141 341 3991

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**To:** edmund ward[edmund.ward@ofgem.gov.uk]  
**From:** Teri Clifton  
**Sent:** 2016-02-11T14:30:08Z  
**Importance:** High  
**Subject:** FW: RHI NI forecast costs 16-17 to 20-21  
**Received:** 2016-02-11T14:30:00Z  
[RHI NI forecast costs 16-17 to 20-21.xls](#)

Hi Edmund

Do you have the breakdown so we can remodel? I only have the summary I think

Thanks

Teri

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**From:** Edmund Ward  
**Sent:** 09 September 2015 09:02  
**To:** EServe Finance  
**Cc:** Gareth John; Teri Clifton  
**Subject:** RHI NI forecast costs 16-17 to 20-21

Peter, Wayne, All

Please find attached the output of modelling we're preparing in order to give indicative costings to DETI regarding possible future spend on Northern Ireland RHI.

To note this is based on modelling assumptions as set out in the attached, including using updated staff costs as per the latest E-Serve Finance Procedure 2015 'Staff Costs for Forecasts'

We are aware this will need to form part of corporate planning exercise and wider considerations on spending cap etc, but at this stage we are aiming to give DETI an indicative view to aid their planning purposes as they complete a revised business plan to extend the availability of funding for the scheme. The application volume scenario has been provided by DETI.

Sending for your information – but of course grateful for any feedback you may have on the attached.

To note we don't expect to share detailed cost breakdown or FTE with DETI at this stage, but would emphasise that this is an indicative view subject to a number of assumptions.

Kind regards

Edmund