

Privileged and Confidential

No.	Decision Name/Affected Party	Date Identified	Decision context	DA/AD	Status	Update	Classification /Progress
1	FIT: Lottery Grants/multiple parties	15/02/2013	FIT legislation states that installations that received a grant are not eligible for FIT payments. 19 installations have been identified which were paid for by National Lottery grants but have also received FIT payments. The grants must be repaid for the installations to continue receiving FIT payments. The decision is whether to write to all affected parties informing them of the situation and implications. These are mainly community and charity installations, increasing the sensitivity of the decision. The cost of this decision across the 19 installations is in the region of £500k.	Sarah Piggott/ Charles Hargreaves	Closed	All owners of the 19 installations in question have either agreed to repay the grant in full, changed the grant into a loan, proved that the grant did not relate to the installation or shown that the grant met the de minimum exemption.	Green ↓
2	RO: CHPQA boundary/multiple parties	29/10/2012	RO legislation provides for us to issue qualifying combined heat and power generating stations with a higher level of support per MWh than stations with no heat recovery. To qualify, a station must be accredited by CHPQA. It recently came to light that the equipment certified by CHPQA may not constitute the entire generating station as accredited by Ofgem. It is unclear how we should issue support since the legislation does not provide for us to consider part only of the generating station when calculating how many ROCs to issue. We know that this issue has implications for two stations but there maybe others. Difference between worst case scenario and best case scenario for the generators is £2.36million pa across both stations.	Richard Bellingham/ Charles Hargreaves	Closed	We have identified the stations that are potentially impacted by our change in policy. CHPQA have station information that we need to progress this issue. DECC have asked their legal department if they can share the CHPQA information with Ofgem, and we expect an answer on Wednesday 25 Sep. DECC have stated that there might be a charge for this information. We have already been in contact with one station (Goosey Lodge) and discussed how they may update their accreditation details and be regarded as 2 stations going forward. This was a productive meeting and we will be working closely with them over the coming weeks to facilitate the changes.	Green ↓

Irrelevant information redacted by the RHI Inquiry

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6	WHD: SY2 Supplier Non-Compliance/multiple parties	27/06/2013	Final analysis of supplier End of Year reports confirms financial compliance whilst all six obligated suppliers committed minor contraventions most repeating from SY1. It is anticipated that any Enforcement action this year would be across schemes and not individually for breaches on WHD alone.	Michael Sozansky/Giedre Kaminskaite-Salters	Closed	Compliance review confirms continued minor contraventions; otherwise they are financially compliant with the WHD. Meeting with Enforcement on 18 September to review suppliers' performance across schemes.	Green ↓

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9	RHI: Lottery Funding/multiple parties	07/02/2013	Legal advice is that lottery grants and RHI are not compatible, contrary to previous legal advice and our position up to 7 Feb 2013. Scheme participants with lottery grants cannot be removed from the scheme. The difficult decision concerns how to treat several current RHI applicants that do have lottery grants. However DECC are considering amendments to the Regulations in spring 2014 to make some "community groups and schools" eligible. Total estimated RHI payments over twenty years for the eight applicants with lottery funding is £5.2 million.	Edmund Ward/Martin Crouch	Potential	We have written to the owners of 8 applications with lottery funding, and have had confirmation from 3 applicants that they wish us to leave their applications unprocessed pending an update and potential changes to regulations being considered by DECC. We have identified a further 4 (or possibly 3, subject to further review) applications affected, and we are preparing letters to be sent to them. We will complete a programme of follow-up calls to non-respondents by the first week in November. DECC and Ofgem have published updates on our websites. We are liaising with DECC on their policy development, and understand DECC may announce a regulatory amendment in November 2013 alongside other scheme changes.	Amber →
10	Irrelevant information redacted by the RHI Inquiry						
11	RHI: Undersizing of boilers to maximise payment of tariffs	13/06/2013	We are expecting to have to decide on the approval of further RHI applications for a poultry farm site featured in national trade press (Farmers Weekly) which is arguably (but not conclusively) installing separate heating networks to be able to maximise RHI revenues by exploiting the 'tiered tariff' concept. There are currently other accredited systems subject to site inspections which may be exploiting this approach. We have estimated the forecast total payment over 20 years for 14 accredited installations at the site in Farmers Weekly (Overbrook Farm), to be £11.6 million over 20 years.	Jacqueline Balian/ Clive Sparrow	Closed	There are planned site inspections which will explore and elaborate on whether undersizing is occurring. DECC have been informed of this issue and have a submission with their minister for consideration of the policy implications. A compliance case is now being investigated and will be escalated if appropriate.	Green →
12	Irrelevant information redacted by the RHI Inquiry						