

To: Marcus Porter[Marcus.Porter@ofgem.gov.uk]
Cc: Matthew Harnack[Matthew.Harnack@ofgem.gov.uk]; Andrew Amato[Andrew.Amato@ofgem.gov.uk]
From: Keith Avis
Sent: 2012-06-13T08:22:04Z
Importance: Normal
Subject: RE: NI RHI
Received: 2012-06-13T08:22:06Z

Marcus

Thanks. DETI have given every indication to me that the regs will mirror the GB regs. Of course we cannot be certain until we have sight of the draft but it looks to me that the only difference will be with regards the tariffs. Appreciate your point about awaiting DECC's forthcoming amendments, but DETI's view is to mirror the regs as they currently stand and then update them when DECC's amendments are in place. Appreciate that this is not ideal from a presentational perspective, but it is their call I guess. We should have sight of the draft regs today. As soon as I receive them I will pass them down to you so that we can check whether they do actually transpose the GB legislation.

Rgds
Keith

From: Marcus Porter
Sent: 12 June 2012 19:01
To: Keith Avis
Cc: Matthew Harnack; Andrew Amato
Subject: RE: NI RHI

Keith
I note the legal timelines but, as mentioned in my previous email, it really does depend on what they have in mind so far as the Regs are concerned, i.e. are they just going to copy DECC's existing Regs or make changes and, if so, which. I have of course urged that they await DECC's forthcoming amendments – principally with a view to avoiding replicating the deficiencies in the current GB Regs.
Marcus

From: Keith Avis
Sent: 07 June 2012 17:00
To: 'McCutcheon, Joanne'
Cc: Matthew Harnack; Andrew Amato; Marcus Porter
Subject: NI RHI

Joanne cc: Matthew, Andrew, Marcus, Luis

Thanks for coming back to me. On the basis of the letter I am assuming that you are content for Ofgem to incur costs in line with the detail of the Feasibility Study. Of course, we will be able to firm up the costs along with the scope and timeline once you pass on your updated draft regulations.

I attach the timeline as it currently stands. You will see that it is split into weeks rather than calendar dates as the receipt of the draft regulations is the starting point for us. For illustrative purposes I have included the Olympic period in the timeline. As I have mentioned before, Ofgem will not be able to operate at full capacity during this time, so it will be important to reflect this in the timeline. You will also see that the timeline does not include any provision for consultation on the draft guidance. I am assuming that as the Northern Ireland scheme will be reflected in the GB RHI guidance it will not be necessary to consult. However, if you did wish to consult this would add ten extra weeks to the development process to reflect an eight week consultation and two weeks post consultation to finalise and publish the guidance.

Please feel free to call me to discuss any aspect of the above. Suffice to say, once I have the draft regulations from you the timeline will become active and you will see that one of the first actions will be to review this on the basis of the detail in the regulations. I know that your legal team are close to finalising the regulations, but if you could give me a likely date that would be very helpful.

Regards
Keith

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From: McCutcheon, Joanne [mailto:Joanne.McCutcheon@detini.gov.uk]

Sent: 07 June 2012 11:55

To: Keith Avis

Cc: Hutchinson, Peter; Stewart, Susan

Subject: NI RHI

Keith
As requested.
Regards
Joanne

Joanne McCutcheon

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