

To: Keith Avis[Keith.Avis@ofgem.gov.uk]; Luis Castro[Luis.Castro@ofgem.gov.uk]
Cc: Ruth Lancaster[Ruth.Lancaster@ofgem.gov.uk]
From: Marcus Porter
Sent: 2012-06-14T14:26:26Z
Importance: Normal
Subject: RE: NI RHI - Draft Regs
Received: 2012-06-14T14:26:29Z

Keith

A couple of further comments on the theme below.

Presumably the *reasons* for my concerns regarding simple reproduction of DECC's existing Regs and related issues have been communicated to DETI – as per my lengthy email on the subject yesterday? If not I advise that they should be. We shouldn't simply confine ourselves to asking them what they intend.

Secondly, I ought to mention that, in my comments on a briefing to GEMA on the NI scheme and in comments on the E-Serve quarterly update I have suggested that, if DETI will not agree to delay until DECC's amendments are to hand, GEMA should consider deferring until the amendments are in place in NI the point in time when we start to administer the scheme on behalf of DETI. The point of course is that, whilst DETI may be content to take on avoidable or reducible legal risk, there seems to be no good reason for GEMA to follow suit. My advice to you likewise is that this option should be explored further.

Marcus

From: Marcus Porter
Sent: 14 June 2012 11:11
To: Keith Avis
Subject: RE: NI RHI - Draft Regs

Thanks Keith

I would hope to I start looking at these during next week.

In the meantime can I ask that you make the point that DECC's legislative programme is already reasonably clear (at least to us, I'm not sure at this moment how much can be shared with DETI) and that (as indicated the email I sent you this morning) it appears it will be clearer still by tomorrow.

Marcus

From: Keith Avis
Sent: 14 June 2012 11:03
To: Marcus Porter
Subject: FW: NI RHI - Draft Regs

Marcus

The draft regulations from DETI have now arrived. Picking up on your earlier email I would suggest that I put in a calendar appointment for us to meet, say next Tuesday, to discuss thoughts. Does this sound sensible to you.

Keith

From: Hutchinson, Peter [mailto:Peter.Hutchinson@detini.gov.uk]
Sent: 13 June 2012 17:16
To: Keith Avis
Cc: McCutcheon, Joanne; Stewart, Susan
Subject: NI RHI - Draft Regs

Keith,

Please see attached the current draft of the Northern Ireland RHI regulations – grateful if you could treat in confidence when sharing with your legal advisors.

Your legal team have previously seen a copy of these regulations and made comments. As discussed with Catherine previously, these regs largely reflect the GB RHI regs however are amended to cover specific issues with the proposed NI scheme, namely the tariffs and banding. We are aware that DECC intend to make legislative changes to the GB RHI in the near future however it would be our preference to closely follow their existing regs and then make necessary amendments in the future once DECC's legislative programme is clearer.

Grateful if you would consider the attached regs and advise on any comments or required changes.

Thanks,

Peter

Peter Hutchinson

Renewable Heat

Department of Enterprise, Trade & Investment

Netherleigh

Massey Avenue

Received from OFGEM on 18.10.2017
 Annotated by RHI Inquiry