

To: Edmund Ward[Edmund.Ward@ofgem.gov.uk]
From: Marcus Porter
Sent: 2016-11-01T18:45:14Z
Importance: Normal
Subject: FW: NIRHI admin arrangements 6 Dec2012.docx [OFFICIAL Internal Only]
Received: 2016-11-01T18:45:15Z
[annex.docx](#)

From: Marcus Porter
Sent: 21 December 2012 12:44
To: Keith Avis
Cc: Ruth Lancaster
Subject: RE: NIRHI admin arrangements 6 Dec2012.docx

Keith
Following discussions I've had with Ruth this morning, I attach a further copy of the latest version, showing in bold my comments and one amendment (not bold). Needless to say the comments if acted on by you, would make necessary considerable further amendment. If, notwithstanding further legal concerns, it is intended to proceed with the idea of adding these requirements in an Annex to the arrangements then, as indicated earlier, you will need an additional sub-para (j) in para 3.2, which I suggest could read – "(j) take the steps referred to in the Annex to these Arrangements".
Note "the Annex", not "Annex A" – there being no Annex B.
Marcus

From: Keith Avis
Sent: 21 December 2012 11:35
To: Marcus Porter
Subject: FW: NIRHI admin arrangements 6 Dec2012.docx

Marcus
Further to my email earlier with the arrangements, the Audit Annex is now also attached. As you say, it is important that these are no floating, so if you could offer a suggestion to cross-reference in the text of the Admin Arrangements that would be much appreciated. I am waiting for DETI to come back to me on the wording of the Annex. Once they do this I will add this to the Admin Arrangements.
Keith

From: Marcus Porter
Sent: 21 December 2012 11:17
To: Keith Avis
Cc: Ruth Lancaster
Subject: RE: NIRHI admin arrangements 6 Dec2012.docx

We spoke this morning and, following our discussions yesterday, you showed me a further version of some provisions relating to "audit" which it is proposed should be put to DETI.
I haven't seen the latest version in electronic form and would be grateful if you could let me have that for the sake of the record. I have already let you have comments verbally and will confirm those on receipt of the electronic version.
As you know, my comments were not entirely favourable, notwithstanding that, overall, they are less favourable to DETI than the version of them that we discussed yesterday. Nonetheless you indicated that Bob has decided that the revised version should be put to DETI as the terms to which we are willing to agree.
You said in particular that it is now intended that these additional provisions should be added to the Arrangements. I observed when we spoke that that will not mean that their status is any different to that which they would have if they were in the body of the arrangements.
Also, if they are to go into an Annex they will need to be cross-referred to somewhere in the main provisions as otherwise the Annex would just be "floating" – i.e. its connection with the body of the arrangements would be left unclear. Once I've seen the electronic version I'll comment on the form the cross-reference should take and where it should go. I envisage though that it would be added as a new para (j) at the end of para 3.2.
I note the further changes to paras 6.4 and 8.3 since I last commented on the arrangements by email on 30/11. As to the former, I have no comment to make. As to the latter, I don't believe the change to the word "consulted" entails that we cannot make any disclosure as provided for in the provision unless DETI agree. They may object on consultation and we could then override that, but the requirement to consult may of course slow things down.
Marcus

From: Keith Avis
Sent: 21 December 2012 09:40
To: Marcus Porter
Subject: NIRHI admin arrangements 6 Dec2012.docx

Marcus
Received from OFGEM on 18.10.2017
Annotated by RHI Inquiry