

Keith

Keith Avis

Senior Manager
New Scheme Development
9 Millbank
London
SW1P 3GE
Tel: 020 7901 3077
www.ofgem.gov.uk

From: Matthew Harnack

Sent: 29 January 2013 16:17

To: 'Hepper, Fiona'

Cc: Mary Smith; McCutcheon, Joanne; Hutchinson, Peter; Keith Avis

Subject: RE: NIRHI: Administrative Arrangements

Hi Fiona, good to hear that you're content with what we've done/are doing on the current issue. Keith is getting something together on your question. As it stands I'm pretty sure he'll be able to get back to you tomorrow. I'm working from home today but I'll check with him in the morning. It may be worth us booking in a phone catchup next week, regardless of where we are at on all of these issues, so that we've got time to chat about these and any other operational points you may have on your mind. If you agree I'll get Jane to set something up.

From: Hepper, Fiona [<mailto:Fiona.Hepper@detini.gov.uk>]

Sent: 29 January 2013 10:38

To: Hepper, Fiona; Matthew Harnack

Cc: Mary Smith; McCutcheon, Joanne; Hutchinson, Peter; Keith Avis

Subject: RE: NIRHI: Administrative Arrangements

Matthew

further to below, I had a word with Joanne. We are content that the current issue regarding the release of names is being resolved. However, as Joanne discussed with Keith, we would still like a response to the question asked in my e-mail of 17 January – 'If you do not consider that you are doing this work on our behalf I would be grateful for your view on how you think your position sits with the Regulations as drafted – in layman's terms how is DETIs legal responsibilities under the Regs, transferred to Ofgem?'

I think it important that we address this issue and I understand Keith has agreed to provide a response.

Look forward to hearing from you

Regards

Fiona

Fiona Hepper

Head of Energy Division

Department of Enterprise, Trade & Investment

Netherleigh

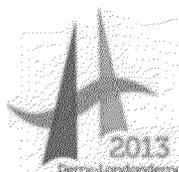
Massey Avenue

Belfast, BT4 2JP

Tel: 028 9052 9215 (ext: 29215)

Textphone: 028 9052 9304

Web: www.detini.gov.uk



Please consider the environment - do you really need to print this e-mail?

From: Hepper, Fiona
Sent: 24 January 2013 15:14
To: Matthew Harnack
Cc: Mary Smith; McCutcheon, Joanne; Hutchinson, Peter; Keith Avis
Subject: RE: NIRHI: Administrative Arrangements

Thanks Matthew - sorry I have been very tied up on other matters. I will speak to Joanne and get an update regards
Fiona

Fiona Hepper

Head of Energy Division
Department of Enterprise, Trade & Investment
Netherleigh
Massey Avenue
Belfast, BT4 2JP
Tel: 028 9052 9215 (ext: 29215)
Textphone: 028 9052 9304
Web: www.detini.gov.uk

The new website for the European Sustainable Competitiveness Programme for NI is now available - visit www.eucompni.gov.uk

Please consider the environment - do you really need to print this e-mail?

From: Matthew Harnack [<mailto:Matthew.Harnack@ofgem.gov.uk>]
Sent: 24 January 2013 15:00
To: Hepper, Fiona
Cc: Mary Smith; McCutcheon, Joanne; Hutchinson, Peter; Keith Avis
Subject: RE: NIRHI: Administrative Arrangements

Hi Fiona,
I've left a couple of messages to speak with you about this, but as we've not been in touch I thought I should drop you a quick email to say that Keith has given Joanne an update on this matter. From what I hear she seemed comfortable with it and is going to provide you with an update. Amongst other things there does seem to have been a bit of misunderstanding here which hopefully now has all been cleared up. But please don't hesitate to call me if you'd still like to discuss it.

Regards
Matthew

Matthew Harnack
Associate Director, Commercial
New Scheme Development
9 Millbank
London
SW1P 3GE
Tel: 020 7901 7218
www.ofgem.gov.uk

From: Keith Avis
Sent: 17 January 2013 17:37
To: 'Hepper, Fiona'
Cc: Robert Hull; Matthew Harnack; Mary Smith; Luis Castro; McCutcheon, Joanne; Hutchinson, Peter
Subject: RE: NIRHI: Administrative Arrangements

Received from OFGEM on 22.05.2017
Annotated by RHI Inquiry

Thank you for your email. I have spoken to Matthew who would like to give you a call tomorrow to give you some control regarding this issue. I will ask Matthew's secretary to talk to your secretary to see if a mutually convenient slot in your diaries can be found.

Regards
Keith

From: Hepper, Fiona [mailto:Fiona.Hepper@detini.gov.uk]

Sent: 17 January 2013 11:56

To: Keith Avis

Cc: Robert Hull; Matthew Harnack; Mary Smith; Luis Castro; McCutcheon, Joanne; Hutchinson, Peter

Subject: RE: NIRHI: Administrative Arrangements

Keith

I understand from Joanne that Ofgem is not going to provide us with the names of applicants until a privacy policy (currently being drafted) is signed by applicants. I thought we had found a pragmatic way to progress the 'Who owns the data?' issue before Christmas and I am disappointed that the very first time we seek some information (and it is only a name and address) there appears to be an obstacle.

The regulations governing the NI scheme clearly state that

'all applications for accreditation must be made in writing to the Department' where the Department is defined as 'the Department of Enterprise, Trade and Investment' and accreditation is defined as ' accreditation of an eligible installation by the Department following an application'

There is no mention of Ofgem in the Regs – it is clear that the application is to be to DETI and that it is DETI that accredits; so, legally the power and responsibility resides with DETI .

We are of the view that Ofgem is carrying out this work on our behalf in which case I cannot understand how there could be any issue in providing us any information provided by an applicant. If you do not consider that you are doing this work on our behalf I would be grateful for your view on how you think your position sits with the Regulations as drafted – in layman's terms how is DETI's legal responsibilities under the Regs, transferred to Ofgem?

Furthermore, it seems completely bizarre that if we were to terminate the Agreement you would provide us with the information (as previously agreed) but you will not share it while the arrangement is in place (without a signed privacy policy).

This current issue does not bode well moving forward as I am sure we will be seeking further information in the future. If we cannot reach a workable solution then I think the best way forward is for DETI to amend our processes to ensure that applicants approach DETI in the first instance – applications could then be passed on to Ofgem.

Grateful for a quick response

Regards
Fiona

Fiona Hepper

Head of Energy Division

Department of Enterprise, Trade & Investment

Netherleigh

Massey Avenue

Belfast, BT4 2JP

Tel: 028 9052 9215 (ext: 29215)

Textphone: 028 9052 9304

Web: www.detini.gov.uk

The new website for the European Sustainable Competitiveness Programme for NI is now available - visit www.eucompni.gov.uk

Please consider the environment - do you really need to print this e-mail?

From: Keith Avis [mailto:Keith.Avis@ofgem.gov.uk]

Received from Ofgem on 17/01/2013

Annotated by RHI Inquiry

Sent: 16 January 2013 12:12

To: Hepper, Fiona

Cc: Robert Hull; Matthew Harnack; Mary Smith; Luis Castro; McCutcheon, Joanne; Hutchinson, Peter

Subject: RE: NIRHI: Administrative Arrangements

Fiona

For clarity I thought I should pick up on the fact that in signing off the Administrative Arrangements I am assuming that you were also content with the baseline scope document that accompanied them in my email of 21 December. Suffice to say, the document is as discussed and agreed between DETI and Ofgem, but for completeness, if you could confirm that you are content by way of a reply that would be much appreciated.

Kind regards

Keith

Keith Avis

Senior Manager

New Scheme Development

9 Millbank

London

SW1P 3GE

Tel: 020 7901 3077

www.ofgem.gov.uk

From: Hepper, Fiona [<mailto:Fiona.Hepper@detini.gov.uk>]

Sent: 31 December 2012 10:59

To: Keith Avis

Cc: Robert Hull; Matthew Harnack; Mary Smith; Luis Castro; McCutcheon, Joanne; Hutchinson, Peter; Hepper, Fiona

Subject: RE: NIRHI: Administrative Arrangements

Importance: High

Keith

I have signed the e-copy of the Admin Arrangements, scanned and returned as requested (see attached). The hard copy has not yet arrived in the post - if required I can sign this and return separately.

Many thanks and happy new year to all

Regards

Fiona

Fiona Hepper

Head of Energy Division

Department of Enterprise, Trade & Investment

Netherleigh

Massey Avenue

Belfast, BT4 2JP

Tel: 028 9052 9215 (ext: 29215)

Textphone: 028 9052 9304

Web: www.detini.gov.uk

The new website for the European Sustainable Competitiveness Programme for NI is now available - visit www.eucompni.gov.uk



www.ni2012.com

Please consider the environment - do you really need to print this e-mail?

From: Keith Avis [<mailto:Keith.Avis@ofgem.gov.uk>]

Sent: 21 December 2012 15:31

To: Hepper, Fiona

Cc: Robert Hull; Matthew Harnack; Mary Smith; Luis Castro; McCutcheon, Joanne; Hutchinson, Peter

Subject: NIRHI: Administrative Arrangements

Fiona cc: As above

Following discussions with you and your team this week, please find attached pdf versions of the Administrative Arrangements and supporting cover letter signed by Bob Hull. Also attached is the file containing the baseline scope document. All three documents have been sent to you through the post, and I would be grateful if you could sign the Administrative Arrangements.

Many thanks

Keith

Keith Avis

Senior Manager

New Scheme Development

9 Millbank

London

SW1P 3GE

Tel: 020 7901 3077

www.ofgem.gov.uk

This message may be confidential, privileged or otherwise protected from disclosure. It does not represent the views or opinions of Ofgem unless expressly stated otherwise.

If you have received this message by mistake, please contact the sender and immediately delete the message from your system; you should not copy the message or disclose its contents to any other person or organisation.

This message may be confidential, privileged or otherwise protected from disclosure. It does not represent the views or opinions of Ofgem unless expressly stated otherwise.

If you have received this message by mistake, please contact the sender and immediately delete the message from your system; you should not copy the message or disclose its contents to any other person or organisation.

This message may be confidential, privileged or otherwise protected from disclosure. It does not represent the views or opinions of Ofgem unless expressly stated otherwise.

If you have received this message by mistake, please contact the sender and immediately delete the message from your system; you should not copy the message or disclose its contents to any other person or organisation.

This message may be confidential, privileged or otherwise protected from disclosure. It does not represent the views or opinions of Ofgem unless expressly stated otherwise.

If you have received this message by mistake, please contact the sender and immediately delete the message from your system; you should not copy the message or disclose its contents to any other person or organisation.