

**To:** Nadia Carpenter[Nadia.Carpenter@ofgem.gov.uk]  
**Cc:** Wightman, Stuart[Stuart.Wightman@detini.gov.uk]; Sinton, Dan[Dan.Sinton@detini.gov.uk]; Neth\_Energy[Neth\_Energy@detini.gov.uk]; Edmund Ward[Edmund.Ward@ofgem.gov.uk]  
**From:** Hughes, Seamus  
**Sent:** 2014-07-31T12:40:16Z  
**Importance:** Normal  
**Subject:** FW: CT Loans/Non Domestic RHI - state aid  
**Received:** 2014-07-31T12:40:26Z

Nadia

Our phone call just now refers. Please see response from the Carbon Trust below in response to my query on plant nurseries. I have since spoken to Abigail and she is now going to look out the loan applications concerned to establish what exactly the applicants said on the forms. I will keep you informed of further developments in due course.

I have also, as you know in parallel with this approached our solicitors to seek a view on whether or not voluntary repayment of Carbon Trust Loans in advance of a change in our legislation could be accepted to address the state aid issue and allow access to RHI for the affected applicants. I am expecting a response on this fairly quickly.

If you have any further queries in the meantime please get in touch.

Regards

Seamus

**Seamus Hughes**

Renewable Heat

Department of Enterprise, Trade & Investment

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**From:** Abigail Hermon [mailto:Abigail.Hermon@CarbonTrust.com]

**Sent:** 30 July 2014 17:41

**To:** Hughes, Seamus

**Cc:** Wightman, Stuart; Sinton, Dan; Neth\_Energy; Geoff Smyth

**Subject:** RE: CT Loans/Non Domestic RHI - state aid

Hi Seamus

In answer to your question, whether we class a nursery as primary agriculture and therefore ineligible for the 0% loans scheme wholly depends on the trading nature of the nursery.

If a company classified their industry sector as Agriculture, with a sub-sector of 'Growing vegetables, horticultural specialities and nursery products' then they would be rejected.

I hope this answers your question adequately, but feel free to contact me if you have any further questions.

Many thanks

Abigail Hermon

Head of Loans

**The Carbon Trust – Making Business Sense of Climate Change**

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Mobile: Personal information redacted by the RHI Inquiry

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**From:** Hughes, Seamus

**Sent:** 18 July 2014 14:40

**To:** 'geoff.smyth@carbontrust.com'

**Cc:** Wightman, Stuart; Sinton, Dan; Neth\_Energy

Annotated by RHI Inquiry

**Subject:** CT Loans/Non Domestic RHI - state aid

Geoff

Firstly allow me to introduce myself, I have just joined the Renewable Heat Team in DETI, replacing Peter Hutchinson who has moved on to pastures new.

I phoned earlier to have a quick chat with you about the ongoing issue with RHI and Carbon Trust Loans in terms of state aid limits but you went to voicemail. DETI is currently working with Ofgem as you will be aware, initially to get a work around for RHI applications in the system that are affected and in the longer term looking towards legislative change to permit the payback of Carbon Trust Loans to enable access to RHI. We are hopeful that we will be able to resolve the issues with most of the relatively small number of cases currently in the system.

One issue that is impacting on a few of the applications is the difference between the general de minimis limit of €200k and the much lower agricultural de minimis limit of €15k. Ofgem has classed a small number of applications from plant nurseries as agricultural and applied the lower de minimis limit ruling them out for support when the loan is taken into account. However, I note,(from your website), that the Carbon Trust does not provide loans to organisations involved in agricultural or fisheries products so obviously you do not consider plant nurseries to be in this category.

It would be helpful in moving matters forward and resolving these problem cases if the carbon Trust could share its eligibility policy on loans for plant nurseries. This could perhaps facilitate Ofgem to consider such applications under the higher general de minimis limit. I hope this all makes sense but please feel free to give me a call if you need further information.

Many thanks

Regards

Seamus

**Seamus Hughes**

Renewable Heat

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