

To: Chris Poulton[Chris.Poulton@ofgem.gov.uk]; Gareth John[Gareth.John@ofgem.gov.uk]; Jane Pierce[Jane.Pierce@ofgem.gov.uk]; Teri Clifton[teri.clifton@ofgem.gov.uk]; James Robinson[James.Robinson@ofgem.gov.uk]; Michael Knight[Michael.Knight@ofgem.gov.uk]; Alison Hardie[Alison.Hardie@ofgem.gov.uk]
From: Edmund Ward
Sent: 2016-10-12T15:40:55Z
Importance: Normal
Subject: For Info: Northern Ireland case closure report: NI S Brimstone's RHI appl no redact
Received: 2016-10-12T15:40:57Z
NI S Brimstone's RHI appl no redact Closure Investigation Sheet.docx

Hi All just for info given possible interest/angles with relation to PAC/NI

To note that we've had some questions from DfE over the last day regarding an installation that we audited on 30 June 2016.

This was originally flagged for audit due to a third party referral, which called into question the nature of the heat use as being potentially for domestic purposes.

Following the audit, we followed up with the participant for further evidence and in line with our procedures, based on evidence provided, we have not taken any further action. We communicated this to the participant on 23 September 2016.

This was treated in line with our normal procedures, and was not exceptionally flagged to DfE at the time, but they were provided a copy of the audit report in line with our standard procedures, and at their request we have recently summarised the outcome of our investigations.

We have offered to provide further info to DfE as required.

For reference, a summary of the compliance closure case is attached.

Kind regards

Edmund

NDRHI non-compliance investigation sheet/DA template

RHI No.:	Stephen Brimstone's RHI appl no redacted by th
Org No.:	ORG0000017344
Other RHI numbers under this ORG:	N/A
Effective date:	28/08/2015
Technology type:	Biomass
Capacity:	32kwth
Company name:	Stephen Brimstone
Authorised Signatory:	Mr Stephen Brimstone
Contact number:	Personal information redacted by th
Email address:	Personal information redacted by the RHI Inquiry
Payments to date / number of data submissions (£ / #):	£2,779.58 / 3 submissions in review – no payments made to date.
Date referred to compliance:	05/08/2016
Referral by:	Audit
Why selected by Audit (if relevant):	Ofgem wish to confirm the installation set up on site is as described in the application.
Link to CRM case:	Personal information redacted by the RHI In CRM Case
Link to SharePoint case:	Personal information redacted by th SharePoint File

Version History	Comments
22/09/2016	Investigation Sheet drafted

Reason for referral (e.g. audit, including relevant regulations):

To close the Info Request case as the participant has provided all the information we required to resolve the non-compliance.

Summary of any relevant discussion / background (e.g. technical team discussions, other cases on CRM etc.):

30/06/16: Site audit carried out.

05/08/16: Compliance received a verbal request by Senior Management to draft an Info Request Letter and also received the Audit Closure Letter by email for reference. The non-compliances and observations identified were:

Two non-compliances identified at audit:

- 1) No evidence was found of the building described as agricultural workshop/storage being used as a workshop or for animal pens as described in the non-domestic questionnaire. This is in breach of Regulation 15(1)(a).
- 2) Participant not able/aware to provide documentation confirming quantity and type of fuel material used in installation. This is in breach of Regulation 33(a).

Four observations identified at audit:

- 1) Contradictory information was available on the correct commissioning date. It is 06/08/2015 on the application and on the commissioning certificate and 14/08/2015 on the MCS certificate.
- 2) No records of meter readings were observed during audits.
- 3) The pipework was arriving in the plant room in 2 separate pipes rather than a single pre-insulated enclosure, however the auditor was not able to see the pre-insulated enclosure as it is buried.
- 4) Participant not aware of maintenance requirements for heat meters.

Compliance drafted an Info Request letter, this was sent to the Senior Compliance Manager (MG). Plan was to send the letter once the Audit Manager was back in the office and has been able to review the report.

08/08/16: Audit Closure Letter sent by Audit team. Participant responded to follow up on the Audit Closure Letter.

Senior Compliance Manager approved the Investigation Sheet and Info Request Letter.

09/08/16: Info Request Letter sent by Compliance team, the participant was asked to:

- 1) Please provide evidence to show that your installation has a workshop/storage being used for agricultural purposes.
- 2) Please provide a fuel log of the type and quantity of fuel used for each individual installation on your site, as well as all invoices for fuel purchased. This log should cover the period beginning 28/08/2015 (your effective date) to date.

10/08/16: Compliance responded to the participant's email of 08/08/16 regarding the Audit Closure Letter. Compliance confirmed that we sent an Info Request Letter which they should respond to and provide the information we requested.

On the same day the participant then sent a further email to provide fuel records and photos to show the agricultural workshop/shed being used for non-domestic purposes.

11/08/16: Compliance reviewed the evidence and were satisfied with the fuel records and the photos provided. Also that this evidence matches with the information the participant had already given in their original application. Therefore Compliance did not see any further reason to investigate this case. Senior Management were asked via the Senior Compliance Manager what action they wanted to take on this case.

22/09/16: Senior Management confirmed that they are satisfied that we close the case and that there are no restrictions on payments. Investigation Sheet and Closure Info Request Letter drafted.

Check for:	Comments: (e.g. Yes/No/Dates)
Checked all CRM cases:	Yes
Meter safe list (if relevant):	N/A
Discussed with Notifications/Technical/PDS:	No
Have Audit observations been responded to by participant?	No – The participant was reminded in the Info Request Letter to respond to the Audit team.

Action Required (including relevant regulations):

No further action required by the participant.

Attachment/s (Yes/No)	If yes, what is the attachment
No	

Action recommended (sanction/non-compliance):

Closure Info Request: Compliance team to send a Closure Info Request Letter to the participant. Payments were not suspended due to this case being an Info Request, therefore they do not need to be unsuspended.

RHI Compliance case handler: Lauren Moroney

Date: 22/09/2016

Signed by (Manager): 

Name: M George

Date: 22/09/2106

To be completed by the Delegated Authority

- I accept the above recommended action(s)**
- ~~I reject the above recommendation(s)~~**
- ~~I propose the following alteration to the above recommendation~~**

Reason for Decision / Comments:

Signed by (DA): 

Name: M George

Date: 22/09/16

Delegated Authority checklist

Regulation	Delegated Authority Name	Recommended action
Closure Info Request	Mark George	✓
R. 39 (payments cannot be calculated) NoNo	Edmund Ward	
R.44 (temporarily withhold payments)	Edmund Ward	
R.45 (withhold all or part payments)	Edmund Ward	
R.46 (permanently withhold or reduce payments)	Gareth John	
R.47 (revoke accreditation or registration)	Gareth John	
R.48 (recovery of overpayments and offsetting)	Edmund Ward	
R.49 (revocation of sanctions)	Gareth John	
Closure Notice	Edmund Ward	

Sanction letter attached: Y