

Subject: Re: RHI Regs
Date: Dé Sathairn 14 Eanáir 2017 16:11:30 Meán-Am Greenwich
From: Eoin Rooney
To: Paul Kavanagh
CC: Aidan, Martin Lynch, Áine McCabe, Máirtín Ó Muilleoir

I haven't seen the modelling but I think the expectation is no overspend in 2017/18. if the assumptions are wrong etc there is a possibility of an overspend but our officials will advise on that. the ultimate control is degression which would cap the total spend regardless of changes in the other variables. this isn't being introduced at the moment because, as a more fundamental change in the scheme, it would be legally suspect. but it should be part of the longer term solution.

On 14 Jan 2017 16:00, "Paul Kavanagh" Personal information redacted by the RHI Inquiry wrote:
Hi Eoin

Thanks for this. Just coming back to the overspend. If you have a set tariff and if doesn't come down depending on the amount of people who get through the process then are you not bound to have an overspend?

Paul
Personal information redacted by the RHI Inquiry

On 14 Jan 2017, at 15:58, Eoin Rooney <eoin.rooney@sinnfein.ie> wrote:

Paul

- 1) Is the proposal that everyone goes on to the November 2015 tariffs? yes
- 2) Are there legal implications? Yes. seems to be a fair bit of confidence that it's defensible but we are gathering legal advice.
- 3) Is it possible there will still be an overspend? the intention is to have no overspend but DoF officials are checking the financials
- 4) Will DfE seek EU approval? Yes
- 5) Is it a sticking plaster? a two stage process means it can be implemented quicker, minimising losses. but important that other parts of a solution are implemented eg 100% site inspections and checking validity of applications. we should seek guarantees on all these aspects to ensure the solution is comprehensive.

On 14 January 2017 at 09:56, Paul Kavanagh Personal information redacted by the RHI Inquiry wrote:
Comrades

Great believer in there is no such thing as a stupid question. If I don't understand something I ask questions of those who do. It appears to me that the RHI Regs are proposing that those who joined the scheme pre Oct/Nov 2015 will have their tariffs reduced to the same level as those who joined post that date. Is that correct? If so I take it that there might be legal implications for changing a contract? In addition, even if this is possible is it the case that even with the reduction in tariffs that we will still have an overspend given the