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for energy consumers

Andrew Trimble
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(by e-mail only)

Your Ref: n/a
Our Ref: O-28-2018
E-mail: foi@ofgem.gov.uk

Date: 19 October 2018

Dear Mr Trimble

Request reference number: O-28-2018

Thank you for your request for information dated 24 May 2018, which has been considered by Ofgem and allocated reference O-28-2018. I would like to thank you for your patience while we took the necessary steps in considering your request.

The information that you have requested is details on installations accredited by the Renewable Heat Incentive scheme ("RHI"). Ofgem has considered your request under the Environmental Information Regulations 2004 ("EIR"), and responds to each of your points as follows.

"RHANI/OFG/50. What is the average annual payment of RHI monies made to all the 199kw boilers that were installed pre-degression (mid-2014) within the GB scheme; excluding Systems within the RHI NI Scheme?"

The average annual payment made in relation GB NDRHI Solid biomass boilers, that have a 199 KW capacity and were installed before 1 July 2014, was £22,229.96. Please note that that this figure reflects payments made up to 31 March 2018. This data is correct from 26 June 2018.

"RHANI/OFG/51. In the year 2017/18, what was the RHI income for each of the 10 highest earning 199kw boilers that were installed before the first degression took place in mid-2014?"

The following table lists the 10 highest payments made in relation to Solid Biomass Boilers, that have a 199 KW capacity and were installed prior to 1 July 2014. Please note we have not included RHI payments where more than four payments have been processed in the 17/18 financial year, for example where accreditation was given after multiple quarters of heat had accrued. Please note that these figures relate to payments made between 01 April 2017 and 31 March 2018 inclusive; because RHI periodic support payments are made in respect of heat previously generated and not prospectively, they may not reflect the eligible heat output in the same period.

This data is correct from 26 June 2018.

1	£48,452.28
2	£46,148.99
3	£45,709.99
4	£44,624.26
5	£44,589.04
6	£44,284.83
7	£44,107.67
8	£44,004.55
9	£43,614.41
10	£43,386.45

RHANI/OFG/52. What is the average load factor of all 199kw boilers that were installed in GB pre-degression in mid 2014.

The average load factor for all 199kW boilers that were installed prior to 01 July 2014 is 13.57%. This data is correct from 10 May 2018.

RHANI/OFG/53. How many OFGEM audits have been conducted to date on NIRHI non-domestic installations?

Ofgem has conducted 118 audits through the Ofgem audit programme. This data is correct from 17 May 2018.

DfE have a separate inspection programme, for further information about this, including the number of inspections, please refer to DfE.

RHANI/OFG/54. How many of the NIRHI non-domestic participants that were audited by OFGEM or Ricardo-AEA under auspices of DfE instruction have since been suspended from the scheme?

The Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012 provide for the suspension of periodic support payments in cases of non-compliance by scheme participants with requirements of the scheme. They further provide for the revocation of accreditation or registration in certain circumstances.

We interpret your request for information on participants 'suspended from the scheme' as being a request for information on the number of accreditations which have been revoked. The number of applications which have been revoked from the scheme in relation to the findings through the Ofgem audit programme is 0. This data is correct from 17 May 2018.

DfE have a separate inspection programme, for further information about this, including the number of inspections, please refer to DfE.

RHANI/OFG/55. How many boilers have failed to achieve initial OFGEM accreditation within the NIRHI scheme?

70 applications to the NI RHI scheme have been rejected before approval, and 20 more were withdrawn . This figure is correct from 01 June 2018.

“RHANI/OFG/56. How many OFGEM audits have been conducted to date on NIRHI domestic installations?”

Ofgem does not administer functions in connection with the Northern Ireland Domestic RHI scheme and thus this information is not held by us. On this basis, this part of your request is refused under Regulation 12(4)(a): information not held. Please refer to the DfE in respect of this request – we assume that you have the relevant contact details but if not please let us know and we will provide them.

“RHANI/OFG/57. How many of the NIRHI domestic participants that were audited have since been suspended from the scheme?”

The same answer to your question above is applicable to this aspect of your request.

RHANI/OFG/58. How many audits have been conducted to date on NIRHI publicly owned/operated installations?

Information regarding whether an installation is publically owned or operated is not held by Ofgem therefore this aspect of your request is refused under Regulation 12(4)(a): information not held.

RHANI/OFG/59. What is the average load factor (on a per month basis) for all boilers within the NIRHI scheme for the year 2016/17?

Ofgem does not hold information on load factors on a monthly basis, we do however hold the information on a quarterly basis. Please notify us if this is something which you would want.

RHANI/OFG/60. What is the average load factor (on a per month basis) for all boilers within the NIRHI scheme for the year 2017/18?

The same answer to your point above is applicable to this aspect of your request.

RHANI/OFG/61. Please explain the rationale for requiring a response within 7 days to NI audit queries when GB audit queries have a 30 days response time.

Regulation 36(3) of the Great Britain 2011 regulations and 35(3) of the Northern Ireland 2012 regulations are identical such that each provides for a 7 day period within which information requested by Ofgem must be provided by participants. The 7 days may be substituted for a longer period by Ofgem if appropriate.

RHANI/OFG/62. Re. the above question, please cite the primary and/or secondary legislation and/or regulations that permits this.

Ofgem administers functions in connection with the Great-Britain Non-Domestic and Domestic Renewable Heat Incentive schemes (“GBRHI”) pursuant to functions conferred by secondary legislation introduced by Parliament by the Government (latterly DECC and now BEIS).

Regulation 36 (now 46) of the GB RHI scheme Regulations makes provision for requiring a response from the participant within 7 days or such later date as the Authority may specify. Ofgem administer functions in connection with the Northern Ireland Renewable Heat Incentive (“NIRHI”) pursuant to legislation governed by Parliament and the Department for the Economy (DFE) in Northern Ireland.

Regulation 35 of the NI RHI scheme Regulations makes provision for requiring a response to an audit within 7 days, or such later date as the department may specify, in agreement with DFE.

RHANI/OFG/63. Please identify, in % terms, the number of information requests that you have responded to in full within 7 days within the last 5 years.

Ofgem hold the information you have requested however to gather this information would require a significant amount of manual processing and diversion of resources, so much so that on balance the public interest in maintaining the relevant exemption outweighs the public benefit in the information being released in relation to Regulations 12(1) and 12(4)(b) of the Environmental Information Regulations.

RHANI/OFG/64. Please identify, in % terms, the number of information requests that you have responded to in full within 30 days within the last 5 years.

Ofgem hold the information you have requested however to gather this information would require a significant amount of manual processing and diversion of resources, so much so that on balance the public interest in maintaining the relevant exemption outweighs the public benefit in the information being released in relation to Regulations 12(1) and 12(4)(b) of the Environmental Information Regulations.

RHANI/OFG/65. Please explain the rationale for suspending RHI payments prior to querying any follow up questions post audit.

As administrators of the scheme we have a duty to make incentive payments only where we are satisfied that the recipient is entitled to receive them. Where a site audit report indicates that there are potential non-compliances associated to an installation, and as such indicates that the installation is potentially ineligible to receive payments, in part or wholly, we will put payments on hold while we investigate. We will contact the participant within 21 days explaining the reasons for this decision and the subsequent actions required of the participant.

The Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012:
Power to temporarily withhold periodic support payments to investigate alleged noncompliance

43.—(1) Where the Department has reasonable grounds to suspect that a participant has failed or is failing to comply with an ongoing obligation and the Department requires time to investigate, it may temporarily withhold all or part of that participant's periodic support payments.

(2) Within 21 days of a decision to withhold periodic support payments, the Department must send a notice to the participant specifying—

(a) the respect in which the Department suspects the participant has failed or is failing so to comply;

(b) the reason why periodic support payments are being withheld;

(c) the date from which periodic support payments will be withheld;

(d) the next steps in the investigation; and

(e) details of the participant's right of review including any relevant time-limits.

RHANI/OFG/66. What is the average time taken in days between an amendment being submitted for within the NI RHI scheme and a final decision being taken? In this context, what is the minimum period taken and what is the maximum – including matters not yet determined?

The average time taken between an amended application being submitted to Ofgem for review and a final decision being made is 108.6 days in relation to the NI NDRHI scheme. The shortest period taken between an amended application being submitted to Ofgem for

review and a decision being made is 1 day, as the participant provided all of the correct information to Ofgem. The longest time between an amended application being submitted to Ofgem for review and either receiving approval or where it has not yet been determined is 655 days (this amendment also relates to an audit; this is partly why it has been open for this length of time). Please note that the aforementioned time periods includes the duration when the application status is "with applicant" and thus is not reflective of the time period that the application has been with Ofgem to review. This data is correct from 10 May 2018.

RHANI/OFG/67. What is the average time taken in days between an amendment being submitted for within the GB RHI scheme and a final decision being taken? In this context, what is the minimum period taken and what is the maximum – including matters not yet determined?

The average time taken between an amended application being submitted to Ofgem for review and a final decision being made is 65.5 days in relation to the GB NDRHI scheme. The shortest period taken between an amended application being submitted to Ofgem for review and a decision being made is 1 day. The longest time between an amended application being submitted to Ofgem for review and either receiving approval or where it has not yet been determined is 1406 days (this amendment also relates to an audit; this is partly why it has been open for this length of time). Please note that the aforementioned time periods includes the duration when the application status is "with applicant" and thus is not reflective of the time period that the application has been with Ofgem to review. This data is correct from 10 May 2018.

I hope that the information provided in response to your request is of use. If you wish to ask us to reconsider any aspect of our decision you can write to us at foi@ofgem.gov.uk.

Representations and reconsideration

If you are dissatisfied with the handling of your request, you have the right to make representations. Under regulation 11(2), you must contact us for a review no later than 40 working days after the date of this letter. If you propose to make any such representations contact me at foi@ofgem.gov.uk or write to me at the following address:

Ofgem
10 South Colonnade
Canary Wharf
London
E14 4PU

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office, Wycliff House, Water Lane, Wilmslow, Cheshire SK9 5AF
<http://www.ico.org.uk/>

Please remember to quote the reference number above in any future communications.

Yours sincerely

Hayley Marsh
Consumer Contacts and Information Rights