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Edd Fyfe

Personal information
redacted by the RHI Inquiry

By post and email: Personal information redacted by the RHI Inquiry

31 May 2017

Dear Sir

Re: The Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme
Provision of a Section 21 Notice requiring the provision of evidence in the form of a written statement

I am writing to you in my capacity as Solicitor to the Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme (known as 'the RHI Inquiry') which has been set up under the Inquiries Act 2005 ('the Act').

I enclose a copy of the RHI Inquiry's Terms of Reference for your information.

You may also be aware that the RHI Inquiry is conducting its investigations into the matters set out in its Terms of Reference.

It appears to the Inquiry from documentation received by it that you may have information relevant to the matters which the Inquiry is investigating. In this regard, a copy of a relevant communication which you appear to have sent is attached for convenience.

In keeping with the approach we are taking with other individuals, the RHI Inquiry

is now issuing to you a Statutory Notice (known as a 'Section 21 Notice') pursuant to its powers to compel the provision of evidence in the form of a written statement in relation to the information you received.

The Section 21 Notice enclosed with this letter requires you to provide evidence to the RHI Inquiry Panel in the form of a written statement addressing the matters identified in the Schedule to the Section 21 Notice. Many of the matters addressed in the Schedule relate to, and seek clarification of, the issues raised in the email correspondence referred to above and also enclosed with this letter. As the text of the Section 21 Notice explains, you are required by law to comply with it.

If it would assist you, I am happy to meet with you (or, if you have one, your legal representative), or to speak by telephone, to discuss the requirements of the Section 21 Notice and what evidence you may be able to provide which is within the scope of the Section 21 Notice.

You will also find attached to the Section 21 Notice a Guidance Note explaining the nature of a Section 21 Notice and the procedures that the RHI Inquiry has adopted in relation to such a notice.

Given the tight time-frame within which the RHI Inquiry must operate, the Chairman of the Inquiry would be grateful if you would comply with the requirements of the Section 21 Notice as soon as possible and, in any event, by the date set out for compliance in the Notice itself.

Please do not hesitate to contact me to discuss any matter arising.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Patrick Butler', written in a cursive style.

Patrick Butler

Solicitor to the RHI Inquiry

02890408928

SCHEDULE**[No 249 of 2017]**

1. Set out a description of your occupational history, qualifications and experience.
2. Summarise your employment with OFGEM and the roles you have performed for OFGEM, giving relevant dates as far as possible.
3. Explain the role, if any, which you performed in OFGEM in relation to the Northern Ireland RHI Scheme (and, if you performed any role in OFGEM relating to the equivalent scheme in Great Britain, your role in relation to that scheme).
4. Please set out all the “damning evidence relating to OFGEM’s mismanagement of the RHI” of which you are aware.
5. Please detail the “on-going moves” to “cleanse and wipe clean” all of the “damning evidence relating to OFGEM’s mismanagement of the RHI” of which you are aware.
6. Without prejudice to the generality of paragraph 5 above, please specify:
 - a. Who precisely was engaged in the “moves” referred to;
 - b. What precise form the “moves” referred to took;
 - c. When they occurred;
 - d. How you came to know about them; and
 - e. Who, if anyone, you told about them.

7. In relation to these issues, explain further:
 - a. When you first became aware of these issues while working in OFGEM;
 - b. With whom in OFGEM, if anyone, you raised these issues;
 - c. When you raised them; and
 - d. What, if anything, was done about the issues you raised.

8. Identify (precisely, by name) who the managers were whom you overheard “advising not to share certain information and to say we are being compliant where we are most definitely not”.

9. In respect of the giving of such advice or direction by the managers referred to, please specify:
 - a. Precisely (by name) to whom they were speaking;
 - b. What information you heard individuals being told not to share;
 - c. In relation to the reference to OFGEM being compliant, what OFGEM was compliant (or not compliant) with; and
 - d. In what way OFGEM was “most definitely not” compliant?

10. In relation to these issues, explain further:
 - a. When you first became aware of these issues while working in OFGEM;
 - b. With whom in OFGEM, if anyone, you raised these issues;

- c. When you raised them; and
 - d. What, if anything, was done about the issues you raised.
11. Identify (by name) the two close colleagues from the OFGEM Counter Fraud Team who sought your opinion on the audit strategy.
12. In respect of that incident or exchange, and OFGEM's related actions, please specify:
- a. When the colleagues sought your opinion;
 - b. How they sought it (whether this was verbally or in writing);
 - c. On what basis you advised that 10% of applications should be checked;
 - d. On what basis you advised that the "contact centre" should be used to manage the checking (including a description of what the "contact centre" was and how it operated);
 - e. What reason, if any, was given for ignoring your advice; and
 - f. Who the people were "with no technical knowledge" who did the checking.
13. In relation to these issues, explain further:
- a. When you first became aware of these issues while working in OFGEM;
 - b. With whom in OFGEM, if anyone, you raised these issues;
 - c. When you raised them; and

- d. What, if anything, was done about the issues you raised.
14. In relation to ECO Green Capital Limited, please explain:
- a. Who in OFGEM allowed this company to “dominate the biomass installations”;
 - b. How they allowed this;
 - c. How they could have prevented it;
 - d. What the reason was as to why it was not prevented; and
 - e. Which of these installations related to Northern Ireland.
15. In relation to these issues:
- a. When you first became aware of these issues while working in OFGEM;
 - b. With whom in OFGEM, if anyone, you raised these issues;
 - c. When you raised them; and
 - d. What, if anything, was done about the issues you raised.
16. Please provide full details of what happened after you sent the email of 20 January 2017 to Sinn Féin. In particular (but without prejudice to the generality of the foregoing), please explain:
- a. Who, if anyone, from Sinn Féin contacted you about it;
 - b. When this occurred;

- c. What form any such communication took;
 - d. In summary, the content of any such communication;
 - e. What you were told they were doing with the information you had provided; and
 - f. What you understood (and now understand) happened to the information you provided.
17. Given the Terms of Reference of the RHI Inquiry, please set out any further relevant information that you have, or of which you are aware.

RHI Ref : Notice 249 of 2017

Date: 31st August 2017

Author: Edward E Fyfe

I believe all the facts stated in this document are true.

Section 1 – About Me (Questions 1 and 2)

My name is Edward Ewan Fyfe and my date of birth is Personal information redacted by the RHI. I have been employed with Ofgem since 7th April 2014 in both an assistant manager (Band B position) and a manager role (Band C position). I have been employed primarily on the Domestic Renewable Heat Incentive in the site and desk audit teams. My work has also involved working with the internal fraud team, and this has involved working on the non-domestic Renewable Heat Incentive, including matters in Northern Ireland. In my role, I have been relied on by colleagues as a subject matter expert assisting where my professional experience permits on a number of areas relating to the installation of renewable heating systems in both domestic and commercial properties.

I am a professional person with many years working within the environmental and utilities sectors. After gaining my degree from the University of Wales, I went to work for British Gas in 1999. Since then, I have also worked for EAGA on the Scottish Executives Central Heating Scheme. I have also been employed to manage an Energy Savings Trust advice centre in London, and latterly worked with the charity Groundwork on their Southern Water universal metering project.

I am a Practitioner member of the professional body Institute of Environmental Management and Assessment (PIEMA) which I have held since 2010. I am heavily involved with IEMA, and I play a role in managing an area group, planning environmental events and talks and mentoring graduates coming into the environmental field. I am at a stage where I am permitted to transfer my professional membership to full membership and become a Chartered Environmentalist (C. Env) This is something I am planning to complete in 2018. I am also a graduate member with the Chartered Institute of Wastes Management (CIWM). I am also a qualified energy assessor through the Buildings Research Establishment (BRE).

In addition, I recently gained my MSc (with merit) from the University of Surrey in Corporate Environmental Management. This was awarded in 2015. My dissertation focussed on DECC's National Concessionary Fuel Scheme – which relates to free coal for ex-miners. I am beginning further doctorate study with Lund University in Sweden, initially to acquire a Licentiate degree before completing my PhD in around 2020. My doctorate work is on fuel poverty in the UK, looking at what lessons could be learnt from Scandinavia. Both academically and over nearly 20 years of my working career, I have been responsible for interpreting, interrogating and implementing government legislation. (see attached C.V.)

In the past year, I have faced increasing adversity in my work with Ofgem, and have chosen to leave the organisation in September this year. I am going to work for an energy supplier (I do not wish to give their name, as I am hoping for a fresh start) in their compliance team, and was headhunted for the role when former colleagues I worked with some time ago at British Gas learned how unhappy I

had become in my role with Ofgem. I was also offered a role with BEIS, but turned this down as I felt the private sector would be a more favourable place for me to continue my career.

Although I am leaving Ofgem, I have a number of close friends within both the site and desk audit teams with RHI, along with friends across other departments such as the E-Serve legal team. As a soon to be ex-employee, I wanted to make it clear that I have no 'axe-to-grind' and I am deeply respectful of the on-going RHI enquiry. I am a happy, friendly, professional individual with many years of relevant experience within the environmental field, and I solemnly swear that everything in this document is factual truth. There has been difficulty compiling this document a second time around as Ofgem have prevented me from accessing archived e-mails and certain calendar entries whilst I am in the process of leaving Ofgem, and I assume my e-mails will be 'switched off' once I actually leave. I would also point out that I am on holiday abroad in Personal Information for 10 days from 17th September 2017.

Section 2 – Answers to the RHI Enquiry questions

Question 3 : - I have been involved with the Northern Ireland RHI enquiry on two occasions.

- (a) Firstly, in January 2016, I was asked by Leanne Rainment (Fraud Prevention Manager) to help Laura Gagen and Alan Hendle (both Fraud Prevention Assistant Managers) look at what advice I could give on managing the closure of the N.I. RHI scheme to new applicants. It was expected there would be a surge in applications similar to what I had managed on the Domestic RHI scheme at times of depression (cuts in tariff for Biomass boilers). I gave advice on pro-active calling, and advised these fraud officers to use a specific script, and to look to ask for help from the Domestic RHI call centre to make calls in the evenings to check compliance. I made it clear the evening would work for the N.I. Scheme, as from the data I looked at there were several farms where I felt the farmer could be called in the evening. I provided a copy of a script to use, and advised that the team should aim to call 10 per cent of new applicants to check compliance. However, the fraud team did not utilise the call centre team and did not ask for help. Only a few calls were made by Laura and Alan (around 10), which meant applications to the scheme at this crucial time went unchecked.
- (b) Secondly, in July and August 2016, I was asked to help on the N.I. RHI scheme in their site audit team as there were significant back-logs with the work. In July, I was asked by Ashleigh Maister and Gareth John (Senior Managers) to help with reviewing site audit paperwork provided by Ricardo (the sub-contractors on the scheme). I was alarmed to learn that no audits had been cleared over 6 months. There was a backlog of around 50 audit reports to be cleared, and issues with the out sourced contractors Ricardo who had only just done a handful of audits in Northern Ireland. Ricardo were often difficult to persuade to go to areas where they had no auditors, and for Northern Ireland I believe they sent Seamus Rooney from their team for a couple of days.

It was a mess, and I genuinely felt sorry for Shaneigh Turner who was the manager in the non-domestic site audit team. She was clearly inundated, and the audit program had been essentially ignored for several months. In August 2016, I went back to my usual

team, and for the rest of 2016. I made it clear that the level of risk of fraud and non-compliance was very high.

Question 4 :- The damning evidence included management reports, records and information which external auditors (Deloitte) were made aware of but later ignored. The damning evidence also included notes of meetings with certain companies (namely Eco Green Capital), e-mail chain from internal solicitors and the weekly management reports.

Question 5 :- Gareth John and Edmund Ward (senior managers) occupied a room on the 2nd floor to specifically go through all the documentation held on the internal SharePoint. This was called the “war room” by Gareth John, and I personally noted that documents on the internal SharePoint were deleted, and staff were prevented from having access to the weekly reports. My senior manager Alison Smith stated that the documents were being “amended” as a “data security measure.”

Question 6 :-

- (a) Gareth John and Edmund Ward
- (b) Deletion and alteration of documents
- (c) January 2017
- (d) Witnessed the deletion of files, and spoke about it with the senior manager in my team – Alison Smith
- (e) I initially spoke to Alison Smith about this, along with Ashley Maister and Edmund Ward. I also spoke with the internal legal team (various team members). I also met and spoke with Sarah Cox (C.O.O) after I had gone to the National Audit Office. I spoke extensively with the Public Concern at Work as I was really worried about what was happening, and I also spoke to the Civil Service Commission. I also, with the help of Public Concern at Work, raised concerns with the minister responsible Greg Clarke in the form of a formal letter. Regrettably I was ignored, and despite showing evidence to all these parties, Ofgem insisted on appointing their own auditors (Deloitte), and there was an appalling cover up. This all happened between December 2016 and May 2017. It is because of the cover up that I chose to leave Ofgem, as I was utterly ashamed that a public body could behave in such a way over the truth. I was also threatened by Ashley Maister and Sarah Cox over my role for trying to tell the truth. Specifically, I was told if I told the truth, “my career with Ofgem would be finished.” I was then put under extensive scrutiny, and made to report to Edmund Ward rather than my line manager or even my line manager’s manager. This was a unique arrangement which I took as punishment for whistleblowing. My work also began to be overly criticised.

Question 7 :-

- (a) I became aware of issues developing with the Domestic RHI scheme from March 2015, and on the non-domestic scheme (including the Northern Ireland scheme) from December 2015 – though January, February and early March 2016.
- (b) I raised these issues with my line manager at the time. This was Alison Smith in her role as Senior Audit and Payments manager. I compiled weekly management reports which highlighted a number of increasing issues throughout the whole of 2015 and 2016. These went to the whole senior management team within Ofgem E-Serve. I also had

discussions with Alison's boss, Ashley Maiste. There were also discussions with the legal team and other members of the senior management team, including Paul Fisher (Associate Director). A number of key personnel have left Ofgem, but I would recommend speaking with them. This includes Harriet Arscott (now at BEIS), Amy Powell-Tuck (also BEIS) and Lydia Toy (now Greg Clarke's private secretary). I had discussions with all these people on the issues with major non-compliance on the scheme. This was all done with a view to improving the scheme, and it was only when it became apparent that some senior managers were trying to cover up issues and falsely report a lack of issues to DECC, that I approached Public Concern at Work. This led to discussions with the Civil Service Commission and also the NAO.

- (c) These issues were raised on various occasions from September 2015 through to Feb 2017, when PCAW sent a letter with my concerns directly to Greg Clarke.
- (d) Very little was done. I received no reply from Greg Clarke. In addition, the NAO were told Ofgem would deal with matters internally, which was done though Deloitte. I have clear evidence which I handed to Deloitte showing major non-compliance, but this was ignored, and I received a letter of feedback from the internal audit saying there were no real issues. That was in May 2017, at which point I began to actively find a new role and leave Ofgem. The cover up letter is just appalling, and Ofgem / Deloitte refused to look into serious concerns I had raised about State Aid. All this material I have kept and can make it available if needed.

Question 8 : -Gareth John talking to Edmund Ward. A similar message was also delivered to my team in a meeting by Alison Smith (witnessed by Nadia Bachan, Gary Lovett, and the rest of the team. She said specifically that documents needed to be checked for data protection and Section 105 of the Utilities Act. The team were warned not to share documents without them being checked by Gareth and Edmund, and these senior managers would look after things and ensure the correct message was delivered to the auditors.

Question 9 :-

- (a) Alison Smith
- (b) Anything incriminating. Essentially anything which demonstrated the poor management of the scheme. Ex-managers seemed to, from the conversations I had, be getting blamed here, and the conversations that I were part of and heard blamed Steven Alexander and Amy Powell-Tuck for issues. For example, I was told personally by Alison Smith that Amy got demoted because the level of non-compliance being reported in the non-dom team was too high. I was advised to try to ensure that I was not "giving too much bad news." I was essentially being told to massage the figures that were sent to DECC.
- (c) Ofgem mismanaged the RHI scheme – that was the main issue around non-compliance. There were many issues. This included significant issues with non-compliance over State Aid rules, and issues over consumer protection. There were also issues over payments being withheld in error, or payments being paid for heating systems that had either not been installed, or had been removed. As mentioned earlier, it was just a mess.
- (d) Definitely not compliant over State Aid rules and issues around payments to participants of the schemes.

Question 10 :-

- (a) I became aware of issues whilst working at Ofgem over quite a long period. Certainly issues around the schemes became evident from around January 2015, however, matters did not become fully clear until later that year and by January 2016. There was no one event that shone clarity on these issues. Rather there were many meetings which covered non-compliances, usually with many different internal staff including the legal team, and in one 'Issues and Precedents' weekly meeting, Paul Heigl (senior manager who has since left and Joined the Ministry of Justice) said "It is just as well that the public don't know about what is going on here." This specifically related to third parties who were not eligible for the scheme, but through errors by the Ofgem team, were allowed to apply on mass to the Domestic RHI scheme.

It was a very busy time, and it became clearer with time that certain senior managers were out of their depth in their roles and attempts were being made to cover up their own mistakes. This included working with two third party finance companies to "put things right" rather than to admit a mistake was made and revoke applications from the scheme. There is a particularly complicated case around ASG (A Shade Greener) and Eco Green finance. In a quick summary, a mistake was made when dealing with ASG, and the way they applied to the scheme did not comply with the legislation. When an attempt was made to reject applications made by Eco Green, that finance company threatened Ofgem with a judicial review as Ofgem had allowed the earlier ASG applications. This was then covered up, and a meeting was held without lawyers with this finance company to set out how these non-compliant applications could be made to be compliant, despite not meeting EU State Aid rules. By March 2016, Eco Green was bragging of a 70 per cent of market share for all biomass boilers installed in Northern Ireland and through Great Britain. This dominance of the market at the expense of many smaller companies was absolutely facilitated by Ofgem. I have spoken with the EU on this, and they are looking into this matter. I have many documents showing the non-compliance and the poor management of this by Ofgem. I am happy to supply these if needed.

Very few minutes were taken, although there are weekly management reports, logs relating to issues, and briefing papers saved in various locations in the internal SharePoint system. Naturally there are thousands of e-mails, with long chains. I am aware that some documents have been deleted and others have become restricted where they were open to view before.

- (b) As mentioned previously, I raised issues with several senior managers over a long period of time. I reported issues in weekly management reports, and discussed these at various points through 2015, 2016 and 2017 with Alison Smith, Ashley Maister, Paul Fisher, various staff in legal, Edmund Ward and Gareth John. There are many others, including colleagues in Fraud – such as Karen Boyle – and when I went to the N.A.O, I met and discussed these matters with Sarah Cox in her role as C.O.O at Ofgem.

- (c) As mentioned, there are several occasions, but there were several key meetings in December 2016 and January 2017 – such as the meeting with Sarah Cox (15/12/2016) and Edmund Ward (31/01/2017).
- (d) Very little was done, and I feel that Ofgem used Deloitte to cover up significant issues. Walter Carlton at Deloitte was the partner responsible, and I am truly shocked by his management of the so called internal audit. I had gone to the N.A.O, but was threatened for doing so and accused of breaching Section 105 of the Utilities Act, and the N.A.O were told I had not followed procedures (I had), and that Deloitte were carrying out the audit. It was simply a cover up, and I believe Deloitte have not reported on the severity of issues that have been at the heart of Ofgem's management of the RHI schemes. It has been a deeply frustrating time to see so many colleagues be driven from the organisation in an environment of bullying and harassment, and watch others fearful to speak out for fear of their jobs.

Question 11 :- Laura Gagen and Alan Hendle. I have previously given this information over the telephone to the RHI Enquiry team. In addition, I talked with Leanne Rainment about this and it was her that asked me to help in the first instance.

Question 12 :-

- (a) January and February 2016. There were a few e-mail exchanges, and a couple of re-scheduled meeting requests on Outlook.
- (b) Verbally and in writing (e-mails)
- (c) I advised 10 per cent would give robustness to the checks based on experience I had managing the biomass degression checks on the Domestic RHI scheme. For that, I had randomly selected 10 per cent of applications to have a check carried out by telephone in the first instance. This then identified areas of higher risk (such as identifying non-compliant parts of the country or certain suspect installer). The Ni RHI checks appeared to me to have a similar nature to the biomass checks I had managed, and senior managers such as Alison Smith and Paul Fisher had been happy with the biomass checks, therefore I felt it made sense to attempt to repeat that for the NI scheme.
- (d) Regrettably, my team in Domestic RHI were too busy to help Laura and Alan make the calls, but I suggested there was spare resource in the Domestic RHI contact centre. The contact centre was at the time made up of 16 advisers and four managers, and I made the recommendation suggesting the Fraud team ask for help to carry out the pro-active checks. These checks were simple – just checking the heating systems were in essentially – but very effective. The issue that I could foresee with Laura and Alan was that they were busy on other issues and the contact centre were well placed to carry out some calling in the early evening. I remember suggesting making calls between 17:30 and 19:30, with the contact centre capable of 10 to 12 calls per staff member per hour (again based on my experiences). Therefore half the contact centre could make nearly 200 calls per evening. I knew there was capacity with the contact centre, as I regularly spoke with

colleagues there, and I felt one or two evenings of 'over time' would ensure that very robust checks were carried out on the NI applications.

- (e) No reason was given for ignoring my advice. I met Laura and Alan after they had carried out their own calling, and I asked how they got on. They replied they had got through to around 10 people, which I thought at the time was very, very low. However, I politely did not comment.
- (f) The people with no technical knowledge were, unfortunately, Alan and Laura. There had been issues with the Fraud team not understanding heating systems – which was fine as there was a technical team available for advice. The fraud team were more experts in the legislation and fraud, rather than having a good understanding of how to converse with applicants over technical matters about their heating system. This may be a little unfair to Alan and Laura, but I felt certain team members were far better placed to make these calls. I ultimately feel staff were not given the resources to manage the risks, which ultimately allowed certain companies to exploit the RHI schemes for huge financial gain.

Question 13 :-

- (a) January and February 2016
- (b) Raised with the Counter Fraud team (Laura, Leanne and Alan). It was also briefly mentioned in management reports sent to Alison Smith, who in turn would take that information and present it to Paul Fisher the Associate Director
- (c) This was in February 2016
- (d) Nothing was done. I felt due to a lack of resource and everyone being so busy, the RHI schemes were being put at risk. Checks were just not being carried out. For example, temps were hired without security checks, with one of them photographing documents on his mobile phone. These documents were sensitive ID documents. As a conscientious worker, I increasingly felt the scheme was getting out of control.

Question 14 :-

- (a) The finance companies Eco Green Capital and A Shade Greener (ASG) were attempting to exploit the legislation in a specific way, which was identified as being non-complaint. Many applications for these third parties were rejected on the Domestic RHI scheme, however, due to pressure to get application numbers up; both companies were invited into Ofgem to meet with Paul Heigl and Ashley Maister, along with Paul Fisher as the Associate Director. Legal advice from the internal lawyers was ignored, and essentially these companies were given assistance to manage their applications to "look compliant" which other completely compliant small companies were not given. Special arrangements were made for the processing of these companies applications, and this was very much preferential treatment that other companies were not given. For example, certain checks over identities of 'applicants' were not made. There is an extensive amount that can be written on this, and I have several documents which

clarifies what I believe was a breach of State Aid rules. For Northern Ireland, the issue is around Eco Green's related company, Trianco Boilers.

- (b) Ofgem allowed this as they gave assistance to both ASG and Eco Green to make their non-complaint application appear complaint. On top of this, Ofgem continued to ignore significant issues around non-compliance with these companies, including payments being made to heating systems that did not exist.

- (c) Ofgem could have prevented this by ensuring the guidance was clear on their website, and not engaging and 'buddying' these companies. When issues began to arise, the queries around non-compliances with State Aid should have been checked, and applications from those companies should have been put on hold until clarity was achieved. In addition, legal advice was ignored, which created problems later on.

- (d) I feel senior managers within the RHI teams were keen to get number up to make the scheme appear a success, and therefore the sticky issues around whether or not these applications were allowed was ignored. The legal team was 'cut out' of early meetings with ASG which were facilitated by Ashley Maister. There was / is a personality clash between Asleigh Maister and Marcus Porter in the legal team (wholly on Ashley's side), and he chose to ignore Marcus's advice. However, when there were big issues with Eco Green, Ashleigh met with ECO Green without the lawyers (despite a threat of a judicial review), and essentially covered up his own failings. I feel Ashley felt he was above the legislation, and therefore he could ignore or interpret matters in whatever way he chose.

- (e) Elliot Thicket of Eco Green Capital made several comments about his domination in Northern Ireland, citing a 70 per cent market share for biomass Eco Green's boilers (Trianco is also linked directly to Elliot Thickett).

Question 15 :-

- (a) Initially October 2014 with ASG, and December 2015 with Eco Green Capital.
- (b) There was an issue with non-compliances to degression checks in December 2015, where Eco Green Capital had faked e-mail addresses and had not completed the required data on all their applications (telephone numbers etc. On top of that, the owners of the properties had not been told that their properties were being used to claim the RHI payments (I have retained all the evidence for this), and therefore several hundred applications were identified as non-complaint. I raised this immediately with Paul Fisher and colleagues in Counter Fraud. I also raised this with Alison Smith as my line manager, and other senior managers such as Gary Henderson (Policy). I also produced a briefing document, that was sent to the senior management team, including Chris Poulton.

- (c) Initially October 2014 with ASG, and December 2015 with Eco Green Capital.
- (d) Initially, there were many, many meetings. There was a lot of confusion mainly as Alison Smith told one team to approve certain applications, when it was clear this was an error, There were many legal letters between Ofgem and Eco Green, with threats of a Judicial Review, and then matters were taken over by Ashley Maister, who ultimately covered this whole issue up. I then raised it in December 2016, which led to PCAW giving assistance which in turn led to the audit by Deloitte (pointless), and then the letter to Greg Clarke (which was ignored). I have contacted the E.U. funders, but not sure what is happening there.

Question 16

- (a) No-one ever contacted me. The first response was when I heard for the RHI Inquiry team in late May 2017.
- (b) n/a
- (c) n/a
- (d) n/a
- (e) n/a
- (f) I had no idea. I now understand it was passed to the RHI Inquiry team. The e-mail was sent after a lot of correspondence with Alex at Public Concern at Work. PCAW explained that I needed to take matters forward, and even offered to put me in touch with journalists. Apart from the e-mail to Sinn Fein, the letter to Greg Clarke, and the e-mail to the E.U, I have not sent any other correspondence to anyone else.

Question 17

It is my opinion that there are several key witnesses who have left Ofgem that should be called to help with your enquiry. Keith Horgan for one, and certainly Amy Powell-Tuck. In addition, and you may have already done this, I also feel it would be beneficial to speak with the site auditors at Ricardo, who carry out the site audits for all the RHI activity.

In conclusion, I feel that mistakes were made with the management of the scheme, which has ultimately led to certain issues. When my colleagues and I have attempted to address this, there has been reluctance by senior managers to 'put their heads above the parapet' and face up to these issues. I feel, speaking as an environmental professional, that a great deal of damage has been done to environmental schemes relating to renewable heat because Ofgem have not been careful enough in doing what the legislation asked of them. The result I have witnessed has been several small honourable biomass installer companies going out of business because they simply could not compete with the very dubious 'cash for ash' enterprises run purely for profit by companies like Eco Green and ASG.

I am happy to chat things through, or answer follow up questions. As mentioned, there is quite a bit of evidence that I have retained.

I believe all the facts stated in this document are true.

Edward E Fyfe / 31/08/2017

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Edd Fyf Personal information redacted by the RHI Inquiry

Date: 20 January 2017 at 02:39

Subject: Fw: Visitors on the floor today/this week/next week [OFFICIAL] Please keep private

To: "admin@sinnfein.ie" <admin@sinnfein.ie>

Dear Sinn Fein

My name is Edd and I work on the RHI scheme for Ofgem. I am utterly ashamed at how badly things have been administrated by Ofgem, and I thought I would raise a couple of points following this issues which have arisen in Stormont.

In the Ofgem offices, I feel there are on-going moves to 'cleanse and wipe

clean' all the damning evidence relating to Ofgem's mismanagement of the RHI.

See e-mail chain below marked in Yellow. I have already overheard managers advising not to share certain information and to say we are being compliant where we are most definitely not. I feel documents may be being destroyed and / or changed by senior managers - trying to cover up organisational errors. Renewable Heat Incentive scandal 'biggest since devolution'

It is much more the fault of Ofgem than people realise. I was personally asked to give my opinions on how to manage the audit strategy for the Northern Ireland cases by two close colleagues in the Ofgem Counter Fraud team. I advised they needed to check 10% of applications and to use the contact centre to manage this. However, this was ignored, and less than 1% was actually checked by people with no technical knowledge.

There are also EC state aid breaches, as Ofgem have allowed one company to dominate the biomass installations (ECO Green Capital Ltd). The market has been badly distorted, and left no sustaianble legacy for local biomass installers.

In addtion, there are too many homes in fuel poverty, and the inflated payments for RHI is a disgrace when people are choosing to 'heat or eat'.

It has been a mess for too long and I am truly ashamed of being a part of this organisation. I felt I had no option but to raise this directly with you, and hope you find this e-mail of some use. I hope you don't mind. However, please respect my privacy.

Finally, I just want to take the opportunity to wish Martin McGuinness all the best for his retirement.

Thanks

Edd



